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PROCEEDINGS OF THE FORTY-FIRST ANNUAL MEETING OF THE AMERICAN ASSOCIATION OF LAW LIBRARIES HELD AT PENNSYLVANIA HOTEL, NEW YORK CITY ON JUNE 21 TO 24, 1948.

The forty-first annual meeting of the American Association of Law Libraries, convened with an opening luncheon on the Penn Top, at 12:30 p. m., Monday, June 21, 1948, with Julius J. Marke, chairman of the local arrangements committee presiding at the luncheon.

CHAIRMAN J. J. MARKE: On behalf of the Local Arrangements Committee and our Local Chapter, I take great pleasure in welcoming the Delegates of the American Association of Law Libraries to the City of New York. We have arranged a wonderful program for you and we hope that what you have here today will merely indicate some of the great events that we have set aside for you.

We have had a great deal of coöperation from our publishers and the results are quite obvious. There is no reason why we shouldn't have a wonderful time here, and we anticipate working with you and enjoying everything here.

The business sessions, as you know, will be held in the adjacent part of this room. It is all known as the Penn Top. It is right behind the screen over there and when we adjourn here we will go directly to the other side, or the north part of the Penn Top where the various activities, the business activities will be held. Some of the activities that have been planned for the benefit of our membership here are tours of the City of New York and a tour to the United Nations. Now, it will be absolutely necessary for us to know how many people are willing to go to the United Nations; how many are interested in going on this tour of the City of New York.

One of our committee ladies, Mrs. Coleman—will you please stand, Mrs. Coleman?

(Mrs. Coleman then arose and there was applause.)

(*Continuing*) Mrs. Coleman will be responsible for the exact figure, and will you please advise her if you intend to go, so that we can tell these bus companies and our various restaurants that we intend to send a certain number to them and that we are all going to be there.

We have done everything possible to anticipate the needs of our delegates. We have even tried to obtain some decent weather here. If you are

familiar with the weather in New York City, you will realize what an achievement that is. In addition, we have also attempted to bring the Joe Louis fight to you and that will be on Wednesday night, and television sets are available wherever you can find a bar. I understand, some bars are really featuring tremendous screens, 6 by 10, 8 by 10; and I saw recently a proud announcement down in an East Side bar, "The largest television screen on the East Side, 12 by 14," something like that.

On behalf of the Mayor of the City of New York, the Honorable William F. O'Dwyer, we have with us a gentleman who is the Corporation Counsel of the City of New York, the Honorable John P. McGrath. Mr. McGrath is a director of several banks and obviously, therefore, is a man of interest—if I may compound a joke.

To add to his accomplishments, Mr. McGrath is also the proud father of four girls, in addition to being one of those peculiar gentlemen we once in a while find in public life, a man who has the ability to serve his community. Strangely enough, Mr. McGrath has never held public office, but he has been a very well-known attorney in the City of New York. He has done a wonderful job. He is a member of the Board of Directors of Long Island University and has played a leading part in the public affairs of our fair city.

Ladies and Gentlemen, the Honorable John P. McGrath.

(Applause)

THE HONORABLE JOHN P. MCGRATH: Thank you. Mr. Toastmaster, Judge Shientag, Ladies and Gentlemen:

I am not practiced in the art of welcoming visiting gatherings to the City of New York. That task is generally performed with warm hospitality and disarming wit by our genial Mayor, but today Mr. O'Dwyer is off on the high seas, enjoying, no doubt, his temporary escape from the city as much as you will enjoy, I hope, your visit to it. I suppose the reason why I am here is that the Mayor looked over his official family and decided that the City's lawyer would come closest to speaking the language of the law librarians.

However that may be, I am here and I am glad to welcome you to our great City which is now celebrating its Golden Anniversary. If you decide to make this a busman's holiday and visit any of the great libraries, of which we have many in our City, I am sure that your own organization can find out all about them from much more reliable sources than myself. You will be interested to know that a Visitors' Information Centre has recently been opened at 500 Park Avenue, which is maintained to assist visitors in getting the most out of their visits. I commend this centre to you for information regarding points of interest and activities generally in the City.

Since your work is so directly related to the law, it was the thought of Mr. McDermott who invited me, that I should give you a birdseye view of the great law office of which I am the head. Of course, the Law Department of the City is the most regular customer in every Court within the City, including Judge Shientag's Court, as well as in the Court

of Appeals in Albany. The name of the Corporation Counsel appears as attorney of record in more cases than he could possibly have personal knowledge of. The Law Department is divided into some twenty divisions. There mere naming of them will give you an idea of the extent and variety of the work which we do:

The Torts Division defends the City against damage claims for accidents in the streets, on sidewalks, in public buildings, schools, hospitals, and from all city-owned vehicles. In addition, we have the Trial Department of the Board of Transportation which handles all accidents on the subway, bus and trolley lines.

The Admiralty Division performs a similar function with relations to accidents in New York harbor involving tugboats, ferryboats, barges and other water craft.

The Contract Division prepares or reviews all contracts made by the City and handles all law suits involving contracts. Occasionally, these contracts have far-reaching significance, such as the one last year which turned the airports of the City over to the Port of New York Authority for operation.

The Division of Opinions and Legislation answers every question of law raised by any City department. It drafts legislation, both local and state, required by any City department to carry out its function.

The Division of Franchises represents the City with respect to all public utility problems and activities relating to use of the City streets. Such problems as supplementing the supply of natural gas, providing additional sources of water supply, preparation of franchise contracts for bus lines, and proceedings before the Public Service Commission are handled by this division.

The Real Estate and Condemnation Division handles all transactions relating to the acquisition, sale and lease of real property by the City. It conducts all proceedings to condemn real estate for public improvements, prepares all leases, deeds and other documents.

We have several divisions relating to taxes: The Tax Certiorari Division which handles all proceedings where taxpayers seek to reduce the assessed valuations of their property; the Division of Excise Taxes which does the legal work connected with the collection of the Sales Tax, Utility Tax, and Gross Receipts of Business Tax. Then we have the Division of Tax Lien Foreclosure which conducts proceedings to give the City title to those properties where the owner has failed to pay taxes for an unreasonable period of years.

The Compensation Division processes all claims for workmen's compensation resulting from accidents to City employees while on the job.

The Education Division represents the Board of Education with respect to its many problems, including the proper use of schools, conduct of teachers, etc.

Among the subjects upon which our office is constantly engaged are problems of housing, including both public and private projects, the financing of public projects, the limitations on the use of the power of eminent domain for replanning and rehabilita-

tion of substandard areas for other than housing purposes; the handling of all zoning problems; cases of juvenile delinquency in the Domestic Relations Court; paternity cases in the Court of Special Sessions; violations of ordinances relating to health, sanitation, fire protection, etc., in the Magistrates' Courts; advice to the City Clerk on the issuance of marriage licenses, sometimes involving tricky questions as to the validity of divorces; advice to the Civil Service Commission and other City department heads and employees with respect to civil service appointments and promotions; the propriety of civil service examinations, and the methods of marking papers; advice to the Departments of Welfare, Health, Hospitals, Police, Fire; the handling of election cases, and, of course, continuous consultation with and advice to the Mayor and the Board of Estimate, the five Borough Presidents, the City Council and anyone else related to the City government who wishes to avail himself of the facilities of the Law Department.

In all of this work the use of a library is indispensable. The librarian supplies the tools with which we work. In our principal library we have over 15,000 books. Supplementing this main library are several separate collections of law books on specialized subjects in use by separate divisions of our Law Department.

The library is the repository of the history of the world. Some library contains the answer to every question about the past. We need only know where to look. Some years ago there was quite a controversy as to the origin of the famous expression, "The law is a jealous mistress." Homer Cummings attributed it to Blackstone. Others when referring to the quotation were less precise as, for instance, the speaker who said: "An obscure lawyer on a forgotten occasion said, 'The law is a jealous mistress.'" (Laughter) He, of course, clothed the expression in obscurity for lack of definite information on the subject. This stimulated several members of the Bar to search out the true source of the quotation and finally a Connecticut lawyer came up with the intelligence that on August 15, 1829, on the occasion of the inauguration of Chief Justice Story as Dane Professor of Law at Harvard University, he said: "I will not say with Lord Hale that the law will admit of no rival and nothing to come with it, but I will say that it is a jealous mistress and requires a long and constant courtship. It is not to be won by trifling favors, but by lavish homage." The discovery of this passage among Story's Miscellaneous Writings caused the discoverer defiantly to propound the rhetorical question whether this is the statement of "an obscure lawyer on a forgotten occasion."

Homer Cummings was unmoved when the Story quotation was brought to his attention, his attitude being that it was no proof that someone else had not said it first and he was stringing along with Blackstone. For all I know, the search is still going on for the phrasemaker who first gave utterance to this metaphorical classic.

The wholesome and satisfying sport of searching out the origin of such expressions could not be indulged in

if there were no libraries in which to do it. I think we will all agree that the origin of such expressions is somewhat less familiar than the historical data which were sent by a New Orleans lawyer to the law firm in New York which had asked him to search a Louisiana title. It seems that the report sent by the New Orleans lawyer traced the title back to 1803. The New York law firm sent it back to him with the comment that they would like to know how it stood prior to 1803. He replied as follows: "Please be advised that in the year 1803 the United States of America acquired the territory of Louisiana from the Republic of France by purchase; the Republic of France had in turn acquired title from the Spanish Crown by acquisition, the Spanish Crown having originally acquired title by virtue of the discoveries of one Christopher Columbus, a Genoese sailor who had been duly authorized to embark upon his voyages of discovery by Isabella, Queen of Spain; Isabella before granting such authority had obtained sanction of His Holiness, the Pope; the Pope is the Vicar on Earth of Jesus Christ; Jesus Christ is the Son and heir apparent of God; God made Louisiana." (Laughter)

With the aid of our libraries, particularly our law libraries, there are few matters that cannot be traced to similar basic origins. Your profession is the medium by which such ultimate wisdom is made available to the world. The City of New York is proud to have you in our midst, and we hope you will enjoy your stay with us. (Applause)

THE CHAIRMAN: Thank you very much, Honorable John P. McGrath.

Mr. Harold J. Bowen, Law Librarian of the New Haven County Law Library, will respond to the Honorable John P. McGrath. Harold said to me, "Would you mind if I inject a bit of humor into the response?" We anticipate his comments.

MR. HAROLD J. BOWEN:

First of all, I want to congratulate all of you for having ten dollars to take the various trips, and now that we have got Mr. McGrath here, the banker can probably raise a loan for the fourth mortgage on your property so that you can see the rest of the convention through.

Thank you very much, Mr. Toastmaster, for your kind introduction, and Ladies and Gentlemen, I want to say that this is quite an occasion for me. As a rule, I am generally sitting out in front and listening to the pearls of wisdom that are coming from the other distinguished orators.

During the war when people had to ride on the buses for patriotic reasons, in order to save gas and tires, one night I was going out to one of our Bar meetings at the Country Club, and I used one of the conveyances; and on that bus were banking and insurance tycoons. They got off at their respective streets, and the bus driver turned around and said to me, "Well, Harold, some people have got all the gravy in life. People like you and me, I suppose, always have to work."

I made a few notes here—I guess I can read them all right. I had a very unusual experience this morning, in

fact, it was quite terrifying for awhile. My hearing suddenly left me. Gosh, I never had anything like it and for about ten minutes I couldn't hear a thing. Finally I looked up the house doctor, went up to him and told him I couldn't hear a thing. Well, he shook my head back and forth and there wasn't any improvement. He said, "Well, is there anything in your work that seems to bother you?" I said, "Not at all. I have very lovely relations; I get along very nicely in business and there isn't a thing wrong."

He said, "Are you troubled outside, with any extra curricular work?"

I said, "No."

"Do you have anything at all you can think of?"

I said, "Only one. I am a member of a committee." I said, "I am a member of the Law Librarians' New Membership Committee." I said, "They are having a convention here today and there are thirteen members of the Committee. I am the only man. Twelve of them are ladies. I have a picture of the Committee. Here is one of a girl right in your own home town; here is another one from Minnesota; another one from Wake Forest and another one from Chicago."

He said, "That is a very charming collection of girls. Such charm and pulchritude I have never seen."

I said, "They are."

He said, "Well, that is your trouble. Unconsciously you have been worrying about that."

I said, "I didn't know it."

He said, "You will have to resign from the Committee."

I said, "You mean, just to improve my hearing?"

So just as suddenly, my hearing came back, so it couldn't have been that.

Well, of course, there was a young man who lived quite a life in New Haven, and he was a newspaper man and in the political field, too. Everybody liked him, but he didn't do everything according to Hoyle. Anyway, the Great Reaper called him to his reward and everybody had to go to the funeral because all the politicians knew him and all the men around the Senate knew him and we had to go. The church was filled, the gallery was filled; the aisles were filled; and the old Irish priest, Father Flanagan, turned around and said, "Well, everybody is here; the press is here; the politicians are here and for the first time in twenty years O'Brien is here." He also said, "His life is an open book. You know, everybody knows him and the things he did always weren't as bad as the things he did once in a while."

The things I do are not as bad as they are once in a while.

Mr. McGrath, we appreciate very much your kind invitation, and I am sure everyone here is going to enjoy this visit to New York. We have great libraries; we have great museums, the Museum of Natural History; we have Art Centers; the finest bus rides, Riverside Drive and a ride along the East Side of New York; and the greatest ocean ride in the world for a nickel is down in Staten Island. I recommend that everyone see it, and also a visit to all the bridges is something you must see.

Thank you again, Mr. McGrath, for your kind invitation. (Applause)

THE CHAIRMAN: When I was in my

last year in law school, which was some time ago, the professor in the Practice course recommended that we read a little pamphlet that had just been published. It had originally appeared as an article in the *United States Law Review* and was entitled, "The Trial of a Civil Jury Action in New York." Well, I sort of applied myself to the book with a sense of boredom—just another to be read in the course—but, obviously, it was very important to read these things, as one never knew what to expect in an exam. Well, to my surprise and great satisfaction, I really became enthralled with that book. It was fascinating to read. It was a small one to be true but it had so many points of interest to me, as an embryo attorney, so many wonderfully pertinent anecdotes on great lawyers and judges who had impressed their genius on the development of the law that I immediately became an avid admirer of a man who could make the law breathe and take on life in so interesting a fashion. I still remember some of his clever examples and aids; for example, that the number of feet a car travels per second is one and a half times its rate of speed per hour, hence if a car is going fifteen miles per hour, then it goes twenty-two and a half feet per second. The author of this perfectly splendid article was Bernard L. Shientag. Since then I have had occasion to read the opinions of Justice Shientag in the Reports as well as some of his other books such as "Moulders of Legal Thought," "Summary Judgments," and many of his articles in law journals and professional magazines. They have all added to the stature of his ability in my mind. It is therefore a peculiar twist of fate, that I, so great an admirer of Justice Shientag should be so honored to act as toastmaster at this luncheon, with Justice Shientag as the guest of honor and to introduce him to you at this point. Justice Shientag is an author, scholar, lawmaker, jurist and humanitarian. Ladies and Gentlemen, the Honorable Bernard L. Shientag, Associate Justice of the Appellate Division of the Supreme Court of the State of New York. (Applause)

THE HONORABLE
BERNARD L. SHIENTAG:

Mr. Toastmaster, Mr. McGrath, Ladies and Gentlemen:

I am reminded of the story of what took place in a divorce court recently. The Judge was trying this divorce action and the facts as they developed were so clearly against the defendant husband, that the Judge felt a sense of outrage, and he said to this defendant, "I am going to grant your wife a divorce and I am going to give her a hundred dollars a month." Whereupon the defendant piped up and said, "That is very, very nice, your Honor. I will contribute a few dollars myself."

After the generous introduction of the toastmaster, I suppose I should refer at the outset to my own shortcomings. I had that in mind when I was reminded of another story of the learned Judges of the High Courts in England, who were preparing an address to the queen, and they started: "Mindful as we are of our shortcomings—" whereupon Lord Bowen, who was not alone a great Judge but a wit, said, "My brethren that will never

do. That must be changed to read, 'Mindful as we are of each other's shortcomings.' "

Now, I am very glad indeed to be here and to participate in your deliberations. Unfortunately, I have not been able to prepare a formal paper. I have, however, prepared for this occasion, but it is not in manuscript form.

I examined your very interesting program and I cannot but admire your hardihood in coming to the city at a time when but an hour or so away the Republican Convention is in session; when on Wednesday night the Joe Louis fight takes place; and who knows what else may occur in this fair city during the week that you intend to be here. I sincerely hope that nothing else will happen to distract your attention from the very fine program you have prepared.

As I looked over that program, it occurred to me that perhaps what I should say to you should be somewhat in the nature of hors d'oeuvres, that are served before the meal, in the hope that you will find one or two of them at least of interest, and that they may serve as a preparation for the more solid and substantial fare that is to follow.

Macauley, when he was 34 years old, wrote to his sister Margaret and he said, "Books are becoming everything to me. If I had this moment my choice of life, I would bury myself in one of those immense libraries that we saw together at the university and never pass a waking hour without a book before me."

Well, being familiar with Macauley's style, translated into prosaic, unemotional prose, that meant that Macauley was fond of books. Well, I, too, like books, even though not quite as enthusiastic about it as Macauley was. When I was seven years old, I acquired my first book. It was called, "The One Syllable History of the United States." I read and reread that book, and had I been gifted with prophetic vision, I would have retained this book to this day, because it might have helped me write monosyllabic opinions. Unfortunately, however, that book went the way of all flesh.

Now, the next book that I acquired in my little library—you will never believe this, but it is true—was "The Life of Peg Wuffington," by Charles Reade. Now, Peg Wuffington was one of Garrick's leading ladies, and why on earth a young lad, born and brought up on the East Side of this great city, should have selected a book of that kind, when he was about 8 or 9 years old, you will never understand, and I for that matter don't understand it. The only reason that I can give for it is that I had twenty-five cents to spend and it was about the only book I could get for that price.

However, I still have one book that I received as a prize from one of my dear teachers in the public school. I will never forget her, a Mrs. Howard. She had her gray hair piled up in those convolutions, pompadour—I can't describe it. She was a wonderful old lady. She taught us two things that we never forgot, one was good penmanship, because as she walked by with her ruler, tapping gently on the wrist if you didn't write the word properly, we developed an interest and a liking for good penmanship, and every Friday afternoon she would

line us up in the classrooms for an old fashioned spelling bee, and there was great competition as to who was to remain the last; and we certainly knew how to spell. Anyhow, she was a grand old lady and on the slightest provocation she would give us prizes; and one day she gave me a prize and the prize was James Fenimore Cooper's "The Pathfinder." And what do you suppose I got the prize for? The prize was for neatness and deportment.

Well, the gang in the school thought that that was a kind of reflection on them, and no sooner did I march out of the schoolhouse with that prize book proudly held under my arm, when the gang set upon me and when they got through with me there wasn't the slightest indication of any neatness about my makeup.

It was in connection with books, also, that I committed my first transgression. In the old days you never had access to the library itself. If you wanted a book you had to put in the slip and hope and pray that the book was available for you. Well, those were the days when to get a book by Horatio Alger was a great prize indeed. Well, libraries improved in efficiency and in usefulness even in those times and there did come a grand occasion when we were given free access to the shelves. I went in there and there I was confronted with two books by Horatio Alger that I had set my heart on for a long time. One of them was, "Tom the Bootblack," and the other one was "Phil the Fiddler." I don't know how many of you are acquainted with those ancient classics.

Well, there was this terrible choice that I had to make, and I am afraid that I did fall from grace. I picked "Tom the Bootblack" and I took "Phil the Fiddler" and carefully hid it behind the "Decline and Fall of the Roman Empire." To my consternation, however, when I came back to look for it behind the "Decline and Fall of the Roman Empire," it had gone. I had miscalculated. I had thought that nobody was interested in the "decline," but apparently somebody was and the book was discovered.

Well, anyhow, a long time after that—and your toastmaster has generally referred to it—in my spare moments I wrote little books like "The Trial of a Civil Jury Action," "Summary Judgments in New York," and to my dismay I was told by one of the librarians at one of the Bar Associations that my books had a strong appeal to the criminal classes. I was naive enough not to understand what he meant by that, and I was shocked, and I asked what did he mean; what was there in my books that appealed or was calculated to appeal to the criminal classes? Well, he said, "We had a copy of your book, two copies of "The Trial of a Civil Jury Action," and several copies of "Summary Judgments," and they have all gone; they have disappeared.

One of the distinguished judges in England said that an after-dinner speech like Ancient Gaul led itself to be divided into three parts. In the first part, the speaker invites attention to the uncommon difficulty of his particular task. In the second part, he deals with many a variation of simulated modesty on his own personal unfitness and inadequacy for a task of such importance. In the third part of the speech, if time permits and

if he happens to think of it, he says something about his subject. With your indulgence, therefore, I think it high time to pass over the first two parts and to talk with you quite informally about the place of a law library in the law school.

Lord Bowen, who was one of the most distinguished of English judges, a man of great scholarship and wide culture, whose opinions were noted as well for their literary skill, once asked, "Is it possible to introduce a gleam of sunshine and to furnish a silver thread to guide the law student through the tangled labyrinth of a law library?" If Lord Bowen could have been here and looked around here at this audience, he undoubtedly would have found a ready answer to that question. I, however, shall leave it to you as a rhetorical question.

I take it that we are all agreed that the value of a law library depends not on the number of volumes that is piled up in its stacks, as on the use to which the library is put, on the service which it renders to the students as an integral part of their legal education, on what it does to develop in those students good habits of legal research. The value of a law library in a law school depends on the extent to which it stimulates an interest in the literature of the law, all of which the students will carry with them when they are engaged in the active practice of their profession.

John Erskine, in his last book, said, "A teacher is one who shows his fellow man how to do something, who imparts an active skill and who kindles the desire to acquire this skill and to use it." Having that definition of a teacher in mind, my first point is that the law librarian should be an important and active rather than a nominal member of the faculty of a law school; that the law librarian's staff should teach the students by lecture and by demonstration the science and the art of finding the law. I call this, "legal research," whether it involves looking up a question of law on the eve of a trial or whether it involves the thorough analysis of an important legal problem. You may call it anything you like.

Now, of course, there are some who believe in just throwing the student into the library, letting him flounder around and letting him find his way about as best he can, and if he never finds his way around and never finds his way out of the labyrinth, well, that is just too bad. There are others who believe that all that is necessary is to have an occasional visiting lecturer, supplied by one of the book companies, come to the school and give a few lectures at irregular intervals on legal bibliography.

I speak from an experience of 25 years on the bench, an experience sometimes painful and disillusioning in this regard, when I say to you that one of the big mistakes in legal education today is relative neglect of this important subject of legal research in the law school.

We must assume that no member of the faculty of a law school knows more about the law library than the librarian himself. I have always felt, therefore, that the entering class in a law school should be divided into small sections, and these small sections should be instructed by the librarian

and his staff in the library itself on the subject of legal bibliography. The students should be shown and have explained to them the various reports, the compiled statutes, the encyclopedias of law, American and English, the key reporter systems, the annotation systems, the Index to Legal Periodicals, often neglected. In a word, the law librarian should acquaint the students with the tools, with the instruments of their profession, so that the students should know what they have available when they go out into active practice.

In the second year, when the student has grasped the main principles underlying the fundamental branches of the law, and how to determine the *ratio decidendi* of a case, sometimes a very painful and elusive process, the student should again be taken in small sections and taught by lecture, by demonstration and by their own active participation how to look up a proposition of law, and what is even more important, what to look for in any given state of facts, to determine the principles of law applicable thereto; what questions of law to look up; where to look for them and how to look for them. Those are the things that should be taught to the students by the trained law librarian and his staff.

The study of case law is important and is perhaps the most important weapon in the arsenal of legal education. But the mistake that has been made, up to recent years, in any event, is to treat it as the only weapon; and law schools today are beginning to realize that the study of cases must be supplemented by lectures, readings and by legal research, if the student is to grasp those principles of law on which he will base his future activities.

It is conceded that important as it is to impart information to students in the law school, it is even more important to discipline the mind of the students and to develop in them the potential power of obtaining quickly and accurately the necessary legal information and how to put it to appropriate use. To put it another way, first I should like to have the law librarian take the students through the library much in the same way as Dr. Osler took his students to the bedside and in that way developed a system of medical education which overturned all the old programs.

I should like the law schools to realize that the law is an art as well as a science and that the proper use of the law library played a most important role in the art of legal practice. Here, as in everything else, of course, a sense of proportion is desirable.

I recall a case, for example, where a lawyer, before a County Judge cited the old year books. Well, the Judge stood that for a little while and finally he said to him, "Counselor," he said, "Well, those citations may be interesting, but I wish you would come a little closer to home." He said, "They remind me a little of oxtail soup—it goes quite far back."

Even Sir Frederick Pollock who was strong for the study of law as a science, emphasized the importance of learning the use of books of reference. "Much toil," he said, "may be wasted and much precious time lost for want of facility in such things."

The habits of efficient, thorough, accurate research are among the most important that a law student can acquire. It is in the law library of the school that such habits are acquired and experience demonstrates that if they are not acquired in the law school they will never be acquired in active legal practice.

I shall run over hastily some of the other matters that I should like to talk to you about if time would permit. I have often queried why libraries did not have attached to them—perhaps some do—sound-proof cubicles, where students and a member of the library staff could discuss troublesome research problems. It has occurred to me, as undoubtedly it has occurred to many of you, that law libraries in the future should consider, among many other things that they will have to consider in this new atomic age, the problem of having recordings of examinations, cross-examinations, summations, made. It is one of the great mysteries to me how it is that we permit a law student to get his Bachelor-of-Laws degree and admit him to the Bar although in most instances he has never seen the inside of a court room.

It is the province, moreover, of the law librarian to stimulate, not to force by compulsory homeopathic doses, an interest in what for want of a better name might be called, "The literature of the law."

It has always seemed advisable that there should be a small circulating library attached to every law library in a law school, a circulating library of books dealing with celebrated trials, with the history and philosophy of the law, with legal biographies, books of reminiscences, written by judges and lawyers. Such a library could be kept up to date, for the output of books of that kind every year is relatively small. I would even include novels dealing with the law, such as "Orley Farm" by Trollope. I once delivered a lecture on cross-examination, in the course of which I referred to that book and I was told that there was a run on the public libraries for "Orley Farm" by Anthony Trollope, which had never been heard of apparently in recent years, at any rate.

The habit of resorting to the literature of the law, which is often more absorbing than any detective story, is one which will stand the student in good stead throughout his entire professional career. In that connection I should like to refer briefly to a project which I attempted to undertake but which I failed to put through, and one which I hoped might interest either the American Association of Law Schools, or the Association of Law Librarians, and that was what I called, "A Book of Collected Legal Essays." We have anthologies of essays and literature that are published from time to time, but to my knowledge we have had no volume of collected legal essays. I have in mind, for example, collecting the classics in that field in a single volume, which any law student or any young practitioner could afford to pay for, essays like "Path of the Law," by Justice Holmes; "Laws and Morals," by Ames; Thayer's greatest essay, which has never been excelled, on "The Origin and Scope of the American Doctrine of Constitutional Law"; Lord McMil-

lan's Ethics of Advocacy; Sir Frederick Pollock's, "Judicial Caution and Valor"; something from Cardozo, and so forth, all in a single volume of several hundred pages, which would cost not more than $5, possibly a little less. I think it is impossible to over estimate the stimulus that a volume of that kind would give to young lawyers engaged in active practice. It would enlarge their horizon; it would give them a new outlook concerning their profession. Indeed, I should like to see offered a course—and I don't know who would be better equipped to do it than a member of the law library staff—along the lines of the "Great Books Course" that was developed by John Erskine and those who were associated with him, "Great Books in the Law."

Now I come to my final topic, which is a very delicate topic, but which, of course, is very vital to law librarians, and that is the multiplicity of judicial opinions and what to do about them. Here, I can only plead—and I think I am fairly safe in entering that plea on behalf of all my judicial brethren; I will do it in the singular, however, for myself—I can only plead guilty.

I don't know what can be done about this problem of the multiplicity of judicial opinions, the length of judicial opinions, which are poured forth day after day from all of our courts, high and low. Solomon, in his great wisdom, said, "There is no end of making books." He overlooked the enormous possibilities of judicial opinions.

Many suggestions have been made. Our official state reporter in New York, for example, conceived the idea of laying down a hard and fast rule that he would not publish opinions of more than a certain length. If the opinion exceeded, say, ten pages, he would not publish it. Well, that doesn't seem to be a very sensible rule, although it could easily have been modified by publishing extracts from those opinions.

At one extreme we have the story of Mr. Sargent Robinson who, in his reminiscences tells of Charles Phillips, who, when on the bench, handed down a considered judgment and in eloquent and flowing language gave an elaborate statement of the grounds on which it was founded. To his consternation, the Court of Appeals unanimously reversed and Phillips always declared afterwards that the only method of pronouncing a correct judgment is altogether to abstain from giving any reasons for it. He said, "Let the Appeal Judges find that out for themselves." Well, that, of course, goes to one extreme; and this being a rather fragmentary talk, I thought I would tell you what Borrell said about dissenting opinions, which are coming to plague us more and more, and there again I tread on personally very delicate ground. He intimated that it might be well to apply to appellate tribunals the procedure that worked wonders with recalcitrant jurors in the old days, when they were locked up without meat, drink, fire or candle until they agreed. Now, I wonder what the effect would be on some of our tribunals, and I include mine among them, if such a drastic procedure were resorted to.

Finally, on this point, we have a

very interesting suggestion that was made by Lord Westbury. Lord Westbury had a very interesting and at times not at all too pleasant a career on the bench, but he had ideas. Whether they were his own ideas or not, nobody can tell; in any event he gave expression to them. He was the man, you will recall, who so far as we know—I haven't traced it back as fully as Mr. McGrath did—suggested the idea of a Ministry of Justice, an idea which was taken up in this country by Roscoe Pound and by Justice Cardozo and which resulted in the creation in New York of two permanent bodies, "The Law Revision Commission and the Judicial Council." In any event, it did stimulate extensive research to improve the law and to remove anachronisms in the law, which no longer served a useful purpose.

Well now, this same Lord Westbury made another recommendation, which it might be well to look into, although it is fraught with many dangers. He once recommended that a committee be appointed to examine the reported cases and to eliminate every case that, to use his words, "Did not enter into or illustrate or show the application of some portion of living law." Well, I should like to have you present with me at the first session of any such committee. However, he did not suggest that those so eliminated should be destroyed, a suggestion which many have not hesitated to make with respect to judicial opinions for the twenty-five years in their entirety. But he was fair enough to say that those so eliminated would be relegated to the upper dusty shelves; the remainder would constitute an exact workable set of law reports.

Perhaps in your association there may be some who are hardy enough, courageous enough to embark upon such an experiment. If it could succeed, what a boon it would be for our profession on the bench and at the Bar.

Now, the temptation of talking with you about some of these things is very great, but I realize that you have an interesting program for this afternoon and certain other interludes which will absorb your attention. I shall stop here then, express to you my great appreciation of the honor you have done me in inviting me to address you this afternoon and express the hope that your deliberations might be fruitful in their consequences, and out of them will come, I am sure, things that will be of lasting benefit to the profession which we all hold so dear.

Thank you. (Applause)

THE CHAIRMAN: Thank you, Justice Shientag. You may be happy to learn that we, as law librarians, are very much interested in the subject of legal bibliography and the teaching of legal bibliography in the law schools, and we intend to discuss those very problems today, this afternoon. As a matter of fact, we are going to hear a paper from Professor Ellegaard, of St. John's University on that very subject; and later we will have a round table discussion under the leadership of Carrol C. Moreland, law librarian of Biddle Law Library.

I am also quite sure that your suggestion pertaining to publication of collected essays may have fallen on

fertile ground here today. We have quite a few representatives of the various law publishers and it is very possible that they may also see the light.

Just one or two announcements before we adjourn to the north part of this hall: The banquet tomorrow night will be informal. Judge Medina will not be dressed in formal clothes and it might be worthwhile for us to follow him in this respect.

If any members here have any available space, if they have any room space, some of our members are in need of rooms, so please let me know and we will try to arrange something for them.

There will be a ten-minute intermission before we commence the official business meeting in the north part of this room.

I would like to take this opportunity to thank Justice Shientag for his presence here and for his speech. We certainly appreciate it very much. I also want to thank the Honorable John P. McGrath for his address. Unfortunately he had to leave due to a business meeting. We also wish to thank Mr. Bowen for his very pleasant reply.

Thank you and good afternoon. (Applause)

(Whereupon, the meeting was recessed until 3:30 p. m., at which time it resumed in the north part of the Penn Top, with Arie Poldervaart, the president of the association, acting as Chairman.)

THE CHAIRMAN: We have a very full program, so that in the business sections of this meeting we will endeavor to start very promptly. Unfortunately, we were a little bit slow due to the luncheon's carrying over a little bit longer than we anticipated. But I will appreciate it if every one will come in promptly for each session from now on.

The first thing on the agenda for this afternoon is the president's annual address, message, or report to the association.

As I conceive the purpose of the president's annual message, it is twofold, in the first place to advise the membership of the important happenings in the Association during the year just ended, and to set forth the president's views, if he has any, on what the Association can hope to accomplish toward greater development of law libraries everywhere, toward greater coöperation with other associations here and abroad, toward closer coöperation within our membership.

I am glad to report that the Association has been active in all these respects within the past year.

At the Officers' Luncheon at the Original Mexican Cafe in old Santa Fe the joint Executive Committee of the Association for the outgoing regime and the new, found difficulty in locating a convention city for 1948, but selected Washington, D. C. A few weeks later the present officers were confronted with their first major brain twister—the Washington chapter ran into turbulent seas in trying to arrange for the meeting, overruled the Association's Executive Committee and reported it would not be possible to hold the 1948 annual meeting in the nation's capital. Painfully we cast about for an invitation to come elsewhere. And as is so often true when one finds himself in difficult

waters, help came. The New York Association threw out its life line and offered to take us in. The Executive Committee accepted the invitation with open arms.

Another major problem has been the lateness in publication of the LAW LIBRARY JOURNAL due to printers' delay. This interfered particularly with the constitutional procedure for nomination of officers for the coming year. It disturbed me particularly because I was keenly aware of a certain rule of law which says that an incumbent stays in the harness until his successor has been duly selected and qualified. But, with a new printing plant, adequately equipped located near his new domicile, the editor has found a veritable love nest and the publication again reached current status with the May number. I want at this point to express my sincere thanks to Mr. MacDonald for his untiring efforts in connection with the JOURNAL.

The Association was called upon for representation at a number of meetings of national associations, conferences and committees. These meetings dealt with some of the world's minutest problems. They were minute, I say, because in the over-all picture of world events they probably appear microscopic and yet, in their own particular fields, they represent the links of the chain which help keep this old world going. These meetings were so plentiful that if, in fact, the president had only been blessed with an adequate traveling expense account he could have spent a most fascinating year scuttling from one part of the country to another representing the Association, without the worry of spending any time whatsoever at his own library. Sometimes he was expected to be in two or three different places simultaneously, though located some hundreds of miles apart. As always, however, faithful and loyal members of the Association were within striking distance. On several occasions, in fact, important meetings were held at Sidney Hill's own bailiwick at 42 West 44th Street, and Sidney graciously consented to represent the Association at meetings of the American Book Center and again at a meeting of the Council of National Library Associations. Mrs. Huberta A. Prince and Miss Minnie Wiener represented us at the Second Annual Conference of the Commission for International Educational Reconstruction in Washington from Oct. 31 to Nov. 2. Mrs. Prince also attended a meeting to discuss problems of handling book requests from foreign libraries and institutions. Miles Price extended greetings on behalf of the Association at the annual convention of the Library Binding Institute of which our friend with the novel Christmas greetings, the late Pelham Barr, was the director.

The Executive Committee met in Chicago as is customary for its Midwinter business session last December and all members except one were present. I can not over-emphasize my gratitude to these board members who came from all parts of the land,—from as far as Seattle, Washington, to attend this meeting.

Because of a vastly increased amount of correspondence and other detail connected with Association matters, the Executive-Secretary-Treasurer, Mr.

Riggs reported, was working too long hours day and night to keep abreast. Laurie was becoming obviously worried because Miss Coonan was beginning to give her doctor more attention than she was him and he insisted that something be done about it. Miss Coonan was therefore authorized to employ stenographic and secretarial assistance at a cost of not to exceed the stupendous sum of $300 for the ensuing six months ending July 1, 1948. It should be noted that further action will need to be taken at this meeting of the Association if this secretarial aid is to be continued for the coming year. This will be dependent, however, upon what action is taken on the proposed constitutional amendment advanced by Mr. Roalfe's committee to separate the offices of Secretary and Treasurer.

In the Chicago meeting the president advised the Board of the resignation of the advertising manager of the LAW LIBRARY JOURNAL, Mr. Arthur Fiske. After some discussion, Mr. Harrison MacDonald, the editor of the JOURNAL, emerged from the snow banks of New England and, assuming that he would find a less frigid atmosphere at his new post in Santa Fe, agreed to handle the duties of advertising manager along with the editorial responsibilities.

Mr. Julius Marke, chairman of local arrangements for the New York meeting likewise was present at Chicago and reported in some detail on the committee's preliminary plans. A number of Mr. Marke's problems were settled—some not entirely as he had hoped, but Marke's a real sport as all good law librarians are and as you can see, carried on faithfully and undismayed. I wish now publicly to acknowledge his splendid coöperation and the hard work he and the other members of his committee have put in.

A number of librarians have found it desirable to know for budgetary purposes where the annual meeting is to be at least a year in advance. In endeavoring to find a 1948 meeting place considerable mention was made of meeting either in Ann Arbor or Mackinac Island. President-Elect Coffey found, however, that it would not be possible to meet at either place this year, but suggested the possibility of meeting at one or the other in 1949, hinting, however, that Ann Arbor was his personal choice. That hint, of course, was exactly the wrong thing, for it threw the balance of power solidly behind Mackinac Island and that's where we will meet in 1949 unless the new Executive Committee has a change of heart, as it is felt generally that the 1947-48 Executive Committee probably does not have power to bind the 1948-49 Committee as to where to meet in 1949.

Other action taken at the December meeting was that of regularizing procedure for making chapter refunds of dues to local chapters of the Association. If any chapter has any questions on operation of this refund plan, let it send representatives to the section meeting of local chapters tomorrow afternoon. Miss Coonan advises that back dues have at length been cleared up and refunded in all cases and that she can even look straight out at Dillard Gardner of North Carolina without a ratty conscience.

A motion to increase the salary of the Executive Secretary-Treasurer came along from somewhere—I don't think Laurie made it but I'll bet he put someone up to it—to increase the salary of the Executive Secretary-Treasurer from $550 to $800. It was wholeheartedly approved by the Committee, but because of the precarious financial outlook, the raise was made effective to the end of June, 1948, only, so that further action is needed at this meeting. Miss Coonan's report which follows should give us some idea as to the state of the Treasury at the close of the fiscal year on May 31. I want at this point to express my personal gratitude to Miss Coonan for her unfaltering, hard work as Executive-Secretary of the Association during my year as president. She has never failed to carry out most ably and to the fullest extent all requests that I made of her. Not only that, she is blessed with a sound and tremendous initiative and when she found a task needed doing, she did it.

The president and editor of the JOURNAL were authorized by the Executive Committee at Chicago to negotiate a new contract for the LAW LIBRARY JOURNAL, upon the most advantageous terms possible. These were obtained from the University of New Mexico printing plant which produces a number of educational publications and it started publication of the JOURNAL with the February issue.

On the matter of the *Index to Legal Periodicals*, there appears to be a definite sentiment that even though improvements have been made in the *Index* in recent years, more can be effected. If this is true then I believe we should give serious thought to making the improvements. The Committee on Advisability and Practicability of Establishing the Office of Executive Secretary-Treasurer on a full time basis expresses the view that a much wider subscription list can be obtained were improvements made. I should say at this point that I have viewed with apprehension, the decrease in net income to the Association from operations of the *Index*. The Index Committee reports that the Association received only $2,-182.75 from the H. W. Wilson Co., after deducting a previous overpayment, as due it for operations the last year. This was a very material drop over previous years and is explained by the Wilson Company as due to the increased costs of production. We certainly cannot question that this is true, but it poses a serious financial problem to the Association for the *Index* has been literally its life blood. The Association has paid the indexer more than the amount actually received for 1947 in salary alone and she most certainly has not been overpaid. In the past it was the *Index* which usually pulled us over the hump by helping pay particularly for the costs of the LAW LIBRARY JOURNAL which is not entirely self-supporting and the expenses of operating the secretariat. The Index Committee optimistically believes that a review of rates now in progress will assist in bringing income in balance. I believe, however, that we should continue to consider the problem carefully both from standpoint of increasing the subscription list, and from the angle of eliminating unnecessary costs. The Index Com-

mittee finds that the indexer needs help as new periodicals continue to be added to those on the index list and that, of course, will require additional money.

The 1948 edition of the Directory of Law Libraries was issued. Unfortunately, time did not permit us to obtain a full check of foreign libraries, and in some cases 1946 figures had to be used for libraries in this country and in Canada from which replies had not been received by the time the directory went to press. I offer it as a suggestion to the incoming president that a Directory Committee be appointed this next year, even though the next Directory is not due until 1950, to gather statistics from foreign law libraries, so that their 1949 figures may be incorporated in the 1950 directory. The experience this year also has shown that it might be desirable to obtain the statistics for all American and Canadian libraries as of January 1 instead of March 1, as was done this year in an effort to obtain the latest possible data before the annual meeting. It will give more time to include belated replies.

A problem which confronts the entire library profession today is that of recruiting capable young people for library work as a career. The need for additional law librarians is critical. Miles Price tells us he didn't receive quite as many requests for suggestions for librarians, but the answer to that may be found in the letter files of the Executive-Secretary and the President of this Association which contain quite a few of them. And apparently a lot of the smaller libraries have gone back to the janitors for custody and safekeeping.

Appeals from deans of law schools and requests from official boards of bar and state law libraries this past year clearly indicate the situation is serious. More attention should be directed by each of us individually to encourage young people who are qualified to take up law librarianship as a career. I believe those associated with law schools in particular have a marvelous opportunity in this respect. Among our student assistants we are likely to discover occasional individuals who appear as naturals for law library work. But here is the catch. While the law library profession demands the highest type of both legal and library training, our legislatures, our university and law school administrations and our official library boards do not yet all realize that to get and keep competent law librarians it is essential that their librarians be given complete academic or other status comparable to that of other personnel, with identical tenure provisions, retirement benefits, vacation privileges and comparable salary scales. Failure to meet this challenge can only mean that those individuals most competent to administer our law libraries will go into other fields—legal practice or teaching which offer a greater financial challenge. A Joint Committee on Library Work as a Career has been established under auspices of the A. L. A. to wrestle with this problem. Our Association should participate fully in its program. The need is urgent; the issue, clear.

I cannot close this report without adding a note of appreciation for the

constant coöperation I have received from the members of this Association, particularly the members of its numerous committees. At times the going has been rough, very rough indeed, but somehow with the help of you, the loyal members of this Association, we have come through every difficulty. If anything has been left undone that should have been accomplished, all I can say is that we are truly sorry. Your officers have given the best service that they knew how within the time and the resources that were at their command. I thank you. (Applause)

Now, in connection with our committee reports, where a report has been included in the reports which were distributed this morning, we will not have the entire report read unless there is a request that it be done so, in connection with some action which needs to be taken by the Association in relation to that report.

There was one report which necessarily could not be completed and included here and that is the treasurer's report of the Executive Secretary-Treasurer, because the year had not yet been finished at the time those reports were due.

Miss Coonan, if you have any further comment on your secretary's report, which is included here, you might briefly give them, and then give us your treasurer's report, both the general fund and the Index fund, so that we may know how the financial affairs of the Association stand at the moment.

MISS MARGARET E. COONAN: I don't feel that I have anything to add to the secretary's report, which has already been printed in the May JOURNAL. As I said, the treasurer's report would be completed at the time of the meeting and would be ready for printing in the JOURNAL in some future issue. I have it with me today, but I feel that it would be tedious and confusing to read all of those figures. For that reason I am just going to give you some final summary of it and mention a few statistics that I feel would be interesting to everyone here.

The total number of our membership: We now, as of June 1, 1948, have a total membership of 448 members. Of these, the classes of membership are: Life members, 15; honorary members, 1; associate members, 44; regular members, 151; and institutional staff members, 237.

The subscribers to the LAW LIBRARY JOURNAL total 199, of which 32 are foreign library subscriptions.

Now, the treasurer's report for the General Fund: the cash balance turned over to the treasurer by the former treasurer was $6,939.47, as of June 1, 1947, that was. As of June 1, 1948, we have $6,940.18. You will see there is only a fraction of a dollar's difference in our balance. That means that in receipts we took in $4,647,38; in disbursements we spent $4,676.67.

I think that there might be some comment made there to show that we probably wouldn't meet the corners quite so close in a future year. One explanation is that my predecessor very efficiently had sent out the membership dues bills in the early part of last May and there was about $770 collected in dues for this year, before the first of June last year. So that the receipts were not as high. I did not return the compliment because of the

proposed change. If there should be a secretary and a treasurer, separate officers, it seemed unwise to send out bills that would have an address head with the present address, and then all of the money, as it came in throughout the year, would have to be rerouted. For that reason no one has as yet been billed and we did not have any receipts for this year's dues, in the year 1947-48.

Also, we did have a few more expenditures. We had four issues of the JOURNAL to pay for this year, as against last year's three, and we had the chapter refunds, which have been completely made, $152. That is partly the explanation for our having so little difference between receipts and expenditures. That is the summary of the General Fund.

On the Index Fund, the president has already told you that our receipts were $2,182.75. Our expenditures, which consist of the salary of the Executive Editor of the Index, and the contribution to the salary of the Executive Secretary was $2,670. Therefore, the Index Fund actually ended in the red. We collected $488 less than we spent in the General Index Fund.

Will anybody move that the treasurer's report as it is summarized here, and the secretary's report, as printed in the JOURNAL of May, be adopted? Are there any questions on any figures that I have omitted or those that I have given?

MR. MERCER DANIEL: I move that the secretary's report be adopted.

THE CHAIRMAN: Is there a second to that motion.

MR. CARROLL C. MORELAND: (University of Pennsylvania): I will second that motion.

THE CHAIRMAN: The motion has been seconded by Mr. Moreland of the University of Pennsylvania. It has been moved and seconded that the secretary's report and the treasurer's report, be adopted. Is there any further discussion?

(No response.)

All those in favor signify by saying "Aye."

(The motion, having been put to a vote, was carried unanimously.)

I think we are extremely fortunate in meeting in New York to have available to us a wonderful talent from several fields, the leading librarians of the country, the leading jurists of the country, and the leading law school professors and scholars. We have some of these, as you know, on our program for this week, and this afternoon I am particularly happy we have with us Dr. George Robert Ellegaard of the faculty of St. John's University.

Dr. Ellegaard was appointed to the faculty of St. John's, Brooklyn, New York, in 1937, where he has served as a full-time teacher of law ever since, except for the interval—oh, there are a number of us librarians who have had the same experience—during the war, served as assistant regional attorney for the Office of Price Administration; and O. P. A. Director for Nassau and Suffolk Counties, New York. He has been teaching legal bibliography and research on and off since 1938, to classes numbering as high as 600 students, who were broken into sections of about 200 each. Teaching such large groups without the aid

of assistants compelled him to employ simple and efficient mass procedures, and these form the subject of his paper today on the "Techniques of Group Education in Legal Research."

Dr. Ellegaard. (Applause.)

PROFESSOR G. ROBERT ELLEGAARD: Thank you, Mr. Poldervaart, ladies and gentlemen:

The strangely reluctant but nonetheless growing and, I believe, now fairly widespread recognition by American law schools of the necessity for, and not merely the propriety of, training their matriculants in the science of legal research, and the mounting number of states which condition admission to the bar upon proof of competence in the methodical use of law books combine with the abnormally large post-war law school enrollments to render timely a consideration of techniques for conducting courses of formal instruction in Legal Bibliography and Research to relatively large classes of law students.

I propose in this paper to discuss the methods and materials by which such courses of instruction may be efficiently conducted under the limitations of teaching personnel, library facilities and curriculum which confront most law schools.

LEGAL BIBLIOGRAPHY

A study of the organization and content of legal literature is, of course, a pre-requisite to training in its scientific utilization. The lawyer must be familiar with the tools of his profession in order to employ them efficiently. But he need not be a bibliographer. The very bulk and complexity of the legal bibliography which requires methodical use by lawyers on one hand and the specialized training of library technicians to administer the complete law library on the other, is apt to overwhelm the law student who is plunged into a welter of bibliographic detail at the outset. Some of the scholarly treatises on legal bibliography now on the market are wonderfully comprehensive and detailed. They serve admirably as standard texts in courses on library science, are excellent reference works for use by research instructors; they may be assigned for collateral reading by the more ambitious law students but they are not, in my opinion, suitable teaching media for research training. They tend to burden the student with tedious detail, much of which he will inevitably forget and which if remembered will not be of sufficient practical value to warrant the effort which its assimilation entails. More significantly the laborious study of bibliographic data tends to impair class morale and to blunt the students' incentives.

Necessarily some purely bibliographic information must be absorbed by conscious effort. Such effort should be directed to fundamentals necessary to effective training in research techniques or which are likely to prove useful to practicing lawyers. Thus students must learn to distinguish between codes and uncodified statutory compilations, between case digests and encyclopedias. But I think it inadvisable, particularly in this preliminary stage of the study, to treat extensively the history of local statutory revisions or to explain the editorial distinctions between annotated digests, full para-

graph digests and short-line digests. The student should learn the names of the various local, federal, regional and national, official and unofficial judicial reports and the courts whose decisions they include, but I think an extended discussion of the relative merits of the various private English reports, from the last of the Year Books to the beginning of the Law Reports, is of dubious utility.

Even the basic bibliographic information may be learned in part by doing rather than by listening or reading. Assigning problems in the use of tables found in statutory compilations serves primarily the purpose of acquainting the student with the form and content of statutory bibliography. Exercises in translating official and unofficial citations to judicial decisions render a familiarity with the organization of courts and their reports a relatively painless process. Of course, the more intimate the student's familiarity with the structure of the law bibliography the more reliable his research techniques will be, but such familiarity may be acquired gradually as his course of training evolves.

TECHNIQUES OF RESEARCH TRAINING—DEMONSTRATION OF SEARCH METHODS

The basic pedagogical techniques in research training are these:

One—demonstration of search methods by the instructor accompanied by a running commentary of exposition.

Two—imitative practice of the demonstrated method by the student under the immediate supervision and guide of the instructor.

Standard texts and manuals on the use of law books commonly provide illustrative problems with verbal instructions on approved methods of solution. Where the text does not contain specimen pages of the volumes to be employed in the illustrated search, either the student must verify the textual exposition by following the instructions in using the law books in the library, carrying the text in one hand and manipulating the library volumes with the other—a cumbersome procedure at best—or the instructor must conduct the demonstration by using the actual law books involved. The former alternative is essentially self-instruction and not group education. The latter process is subject to a severe limitation. Not more than half-a-dozen students can congregate about the instructor to witness his demonstration of search methods by using the actual law volumes.

It would seem that the only practical method for demonstrating search techniques to larger groups is to employ a manual containing all of the necessary specimen pages. Where the text illustrates search methods by the use of specimen pages the instructor may not only demonstrate the search before the entire group no matter how large it may be, but he may require the students in class to repeat the process described and illustrated by the text. An opportunity is thereby afforded to test the students' understanding of the methods, to answer questions and to provoke group discussion.

The model, laboratory or practice library outfitted with specimen volumes and used exclusively for training students in research methods, serves

to keep the noise and congestion of the classroom out of the main library and perhaps saves wear and tear on the books intended for general use. But as a medium for demonstrating search techniques it is subject to the same limitations as the full library, and since the collection of the practice library is usually incomplete its use for practice purposes is likewise limited.

The motion picture is an excellent device for demonstrating the use of law books before large groups. Such a film, in color, entitled "The Case in Point" has been prepared and issued by Harvard Law School. The educational film conserves manpower. It may be shown repeatedly to the same and to different classes. But it will not obviate the need for the personal services of the live instructor.

TECHNIQUES OF RESEARCH TRAINING— IMITATIVE PRACTICE

It is not enough that students have witnessed one or more demonstrations of search methods. The only habit acquired purely by observation is the habit of observing. A spectator is not therefore a participant. A student having experienced demonstrations of intricate search procedure cannot be expected to apply the technique at once without some supervision and counsel.

I think it advisable that the students' first several attempts to apply search techniques be made under the close scrutiny of the instructor. Working with small groups of no more than twelve or fifteen students, the instructor may give individual attention to each as he works problems in the library. When classes number more than a handful, only dividing them into smaller groups permits this type of supervision. Even then the instructor can deal effectively only with one or two students at a time. Not only does this procedure impose a heavy burden on the instructor, but in view of other alternatives it involves an uneconomical expenditure of his time and effort.

Lacking professional assistants the instructor may obtain aid from another quarter. It has been my experience that the better students who have taken the course in Legal Research are pleased to aid their juniors in unravelling the mysteries of this esoteric science. Their voluntary services may be enlisted to supervise the research practice of small groups assigned to them for this purpose. Of course, the quality of their services will vary with their competence and diligence, but it should be noted that such a program serves a twofold educational purpose; not only may more personal attention be given each student through the division of labor, but the proficiency of the student-assistant is advanced by this teaching experience. Nothing teaches like teaching.

Another and, I think, more effective device for drilling students in research methods is a workbook containing nothing but specimen pages compiled to permit the solution of scores of research problems in the full view of the instructor and the whole class. Such a volume entitled "Legal Bibliography Reference Book" is employed by the lecturers of the West Publish-

ing Company in the courses they conduct in the various law schools throughout the United States. I am familiar only with the New York and New Jersey Edition of that work recompiled by Mr. Wayne Davis of the West Publishing Company in 1942. I do not know how many or what variety of search problems may be worked with that volume but I would suppose that a book containing full color reproductions of the covers and specimen pages of all the requisite law repositories and search books, numbering not more than one thousand pages, might be compiled to afford research exercises of every type in the solution of forty or fifty different problems. The law publishers might be induced to join in the preparation of such a volume and to distribute it gratis to law schools for use by the latter in training students in legal research, for, I believe, teachers of legal research are the best salesmen the publishers have.

I would employ such a workbook in this wise: I would have a student read the practice problem aloud in class, analyze the problem for its salient features and have him designate the first step in the search process with his reasons for the choice. When he names the volume in which he proposes to commence his search I would direct him and the entire class to turn to the page of the workbook where the cover of the indicated volume is reproduced in full color. I would require the student then to explain each step in the process thereafter, stating his reasons and turning to the pages where the material he chooses to examine will be found. I would solicit criticisms from the rest of the class and encourage discussion of alternative possibilities. Every variety of problem may be employed, every search technique practiced. The performance of each student may be closely supervised and tested.

It is in this phase of the training that proper working habits may be instilled. I have found in using the specimen pages of Mr. Brandts' "How to Find the Law" for practice purposes, that nothing must be left to the students' own resources. For example, in employing the Fact or Index approach students, like bystanders on a public street who join a stranger in the search for a lost object only to inquire after several wasted moments, "What are you looking for, mister?" are apt to commence a search without a conscious awareness of what they are looking for, but hoping that a perusal of index pages will expose a likely reference. Requiring the student to formulate the fact words which identify the salient facts of his problem before initiating a search is excellent training in methodical habits.

Similar exercises may be conducted in the use of the Law Chart, in the examination of topical analyses, etcetera. This very important phase of the training cannot be given to larger groups of students without the use of specimen pages compiled for this specific purpose.

There is an incidental advantage to be gained through group demonstration, practice and discussion of every detail of research techniques. Students acquire more than efficient habit patterns, they acquire a con-

scious understanding of methods and a skill in articulation which enables them to teach research methods to others. Many of my former students employed by established law firms after graduation, have experienced the thrill of teaching research techniques to their employers. I have numbered several blind students in my classes who attained high proficiency in research skill. One of them, now engaged in private practice, reported to me recently that he instructs his own law clerks in research methods and confounds both them and his colleagues by his uncanny skill in utilizing the law books which he has never seen.

PROBLEM ASSIGNMENTS

The final phase of the training in each of the various search processes must be the solo flight by the fledgling researcher. Here the conventional technique has been, I take it, to assign problems prepared by the editor of some standard text in this field and letting the students loose in the library to find the solutions to these problems. Checking the solutions presents some difficulties, particularly in the case of large student groups. The answers supplied by the compilers of the problems are usually limited to the citation of a single case in point (usually the case from whence the problem was derived) or to a pertinent statute, digest topic and section, and the like. But of course, such a pat answer cannot be accepted as satisfactory evidence of competent search by the student; first, because, however apt the result, since it may be the fortuitous product of inefficient search methods, it will not manifest research competence; secondly, because unless separate problems are assigned to each student, and new problems prepared each year, such answers may have been copied.

The materials and methods of search employed must therefore be detailed as part of the solution offered. If the answer is to be submitted in writing, two difficulties are presented: one, the answer may still have been copied unless each student has worked a separate problem; two, the labor of checking written solutions to scores let alone hundreds of problems is wearisome. If, however, oral answers and oral expositions of methods are required both of these difficulties are obviated. Questioning of the student will reveal the adequacy of his method and is both more expeditious and less tedious than correcting papers. But this method has its own disadvantage. If the class is large the same problem or problems should not be assigned to all, first to avoid congestion in the library and second, because checking of one student's solution prevents an adequate check on the work of the others. Hence the large class must be divided into smaller groups, each of which may be assigned different problems. However, when solutions to the problems assigned to one group are discussed in class the rest of the class is both uninterested and uninstructed. This is like teaching several grades in a one-room school house.

A third alternative is feasible. If problems are assigned to groups of ten students or less, each group may report separately to the instructor.

Fifteen minutes should suffice to criticize the work submitted orally and to appraise the competence manifested by each student.

EXAMINATIONS

The method for determining adequate research competence was described by the late Dean Wigmore in a paper entitled "The Job Analysis Method of Teaching the Use of Law Sources" read before a conference of the Association of American Law Schools in 1921. The method involves a classification of all search processes into units of operations, problems being assigned within each unit. Upon demonstrating satisfactory competence in one unit the student passes to the next, satisfactory performance in a given number of the total being requisite to graduation. This method or its variations is in use everywhere as a teaching device. As a testing method its utility is perhaps limited to the smaller groups were individual performance may be separately tested. In any event, in addition to grading problem work, several types of formal written examinations may be employed to measure both the quantity of bibliographic information and the degree of research competence.

I have used both the short answer variety and the objective yes-no type of examination with, I believe, fair success. The former was used in a series of bi-weekly quizzes given during the course and was designed not only to test student progress, but, since the papers were graded and returned, to keep students informed of their progress, to indicate to them the extent of knowledge and skill required of them, and to provide them with competitive incentives. The questions required one or two lines of answer on the question sheet and permitted rapid grading. Each test consisted of ten questions for a total of seventy in a complete series. I prepared four series to be used in different years to discourage any attempt to memorize answers.

The yes-no answer examination consisting of one hundred or more questions can be graded by a simple clerical or mechanical process and is therefore useful for larger classes. Though better adapted to test bibliographic information, it can be used to determine knowledge of general search techniques.

PROGRAM INTEGRATION—THE LABORATORY COURSE

Research competence is predicated not only upon a working knowledge of the form and function of law books but also upon several other skills including the ability to analyze a legal problem for its operative facts and to frame issues of law, to identify the authoritative materials sought for and to evaluate them when they are found. These skills are normally the product of training in other courses of law study. The scope of effective research training is necessarily limited by the extent to which the student has previously been instructed in these other skills.

One who is untutored in the doctrine of judicial precedents can hardly appreciate the utility of a citator or the significance of its subtle classifications. A student who has had no previous law training cannot analyze a

problem for its salient features and cannot, therefore, be trained in the methodical use of descriptive word indexes. Until he has had some experience in the substantive law he is not likely to read a scope-note intelligently, nor find his way through a topical analysis.

When a research course is conducted in the student's second or third year of law study he is able to appreciate refinements in research techniques that would be meaningless to the entering law student. He will profit by demonstrations of, and be able to practice, problem analysis. He can estimate the probability that the solution to a particular problem is governed by statutory precepts and will understand the expediency of initiating the search in annotated statutory compilations rather than in a case digest. He will appreciate what the first year student seldom realizes, that a digest is an index and not a synopsis of judicial opinions. He will be aware of his ignorance of basic legal principles in a field in which he has had little or no previous experience and will understand the necessity for examining textual or encyclopedic treatment of the subject before making a search for judicial and legislative authorities. In short, he is prepared for intensive research training.

However, many institutions, for reasons not quite clear to me, have chosen to conduct research courses in the first semester of law study. These courses take different forms, from a mere guided tour of the library to a fairly comprehensive study of legal bibliography and the use of law books. In some schools such training is included in orientation courses variously styled Elementary Law, Legal Method, Judicial Administration, etcetera, and are given in the first semester. I suspect that these efforts are part of the modern tendency to subject students to training in the practical application of the legal techniques simultaneous with their study. Other manifestations of the tendency are found in moot court work (appeals for first and second year students, trials for third year students); the formal training in drafting in courses such as Contracts, Wills, Property and Pleading; the preparation of law memoranda or term papers for publication in an intramural law review; and legal aid clinics.

It would seem to me that all of these efforts might be combined in an integrated program of practice training to be conducted throughout the three years of law study. Such a program of laboratory practice would include research training and could be conducted according to the following calendar:

In the first year, in conjunction with orientation courses which include, among other topics, a study of the organization of the courts and the judicial process, instruction may be given in the bibliography of the law, particularly the case reports, digests, encyclopedias and citators. Training in the use of tables will aid not only in the process of assimilating bibliographic information but will supplement the study of the judicial organization and administration. The study of statutory bibliography may be effectively combined with the course in Legislation, if one be given.

Here exercises in the use of cross-reference tables, the tracing of legislative history, the examination of statutory compilations of various jurisdictions for purposes of comparison, and the drafting of legislation may compose the laboratory portion of a course in legislation. Practice in the drafting of contracts, deeds and other documents in connection with other first year subjects and service as jurors and witnesses in moot court trials may complete the first year laboratory course.

In the second year, training in research methods would be appropriate. The acquired research skills may then be devoted to the preparation of briefs for use in appellate moot court work, and the writing of law memoranda or notes for publication in an intramural law review. The written work should be reviewed by the research instructor for research proficiency and by the instructors in the appropriate fields for content and treatment of the subject matter. Further drafting experience in wills, commercial instruments and the like could be included.

In the third year, the conduct of moot court trials should be required, including the preparation of pleadings and memoranda of law. Law Review work would form a part of the laboratory course; so, for that matter, would service in the legal aid clinic.

However much or little of this program were inaugurated, the course in Legal Bibliography and Research should remain its central core. It would insure that advanced research training would not be given prematurely and yet it would provide three years of bibliographic instruction and supervised research practice.

UTILIZATION OF TEACHING PERSONNEL AND CURRICULUM TIME

This laboratory program need not overburden teaching personnel or compete unfavorably with other curriculum demands. I would estimate the minimum class hours necessary to the conventional course in Legal Bibliography and Research as not less than twenty with approximately eighty additional hours of library practice by students, with or without the supervision of student-assistants. With the teaching methods and materials which I have described, a single instructor may conduct the course for an almost unlimited number of students. When integrated with other practice training the demands on teaching personnel, curriculum time and student working hours would remain about the same.

Ten or twelve class hours of bibliographic instruction and training in the use of tables should suffice for the first year. An additional ten to fifteen hours of problem analysis and research training would complete the formal instruction in the second year. Of course additional time would be required to review the research manifested in term papers, law review notes and moot court briefs, but much of this work may be done by law review editors, student assistants and graduate fellows.

The subjects submitted by the faculty for term papers and law notes may substitute for the practice research problems usually assigned in

conventional research courses and need not, therefore, add greatly to student working hours.

CONCLUSION

Whatever the methods and materials employed, and whether conducted separately or in conjunction with training in other practical legal skills, the course of instruction in Legal Bibliography and Research is an indispensable part of legal education for, as has been observed by every authority on the subject, law books are the tools of the lawyers' profession; he must be trained to use them. (Applause)

THE CHAIRMAN: Thank you very much, Dr. Ellegaard, for your very fine analytical address on the subject of Legal Bibliography and Research. It goes without saying that to the law school librarian, this subject is of vital interest. I personally believe that it is of similar interest to the law librarian in the State, Federal or Bar Association Library.

Some ten, twelve years ago, I conceived the idea of giving a short course in Legal Bibliography and Legal Research in the State Library in New Mexico, for the benefit of the law clerks of the Supreme Court. As soon as this became known, I received requests from various attorneys, who wanted a refresher course in the use of law books and legal research, and I recall on one occasion, two or three years ago, the entire Attorney General's professional staff took the course.

I think there is an opportunity of real service in these other libraries as well as in the law school for a course of that kind; and, as you indicated, Dr. Ellegaard, it is a wonderful refresher to the librarian in the techniques of legal research to teach a course now and then. So I think it would be well for all of us to consider that possibility even though we are not connected with a law school library.

Now, we are fortunate today to have with us a librarian in a little different field of the library profession, Dr. Fremont Rider, of Wesleyan University, Middletown, Connecticut, who is chairman of the Microcard Committee.

As you all know, this Association has been extremely interested in anything that has the "micro" attached to the front end of it. Some years ago, the late Helen Moylan was very energetic on our committee on microfilm, and we watched with interest the development of microfilm as a possible resource for the law library.

Now, we have microcard. I understand there is an exhibit of a different type of "micro," microspot, but we are particularly interested today in the microcard and its possibilities in the law library. I hope that we may have a short time after Dr. Rider's talk for questions and answers on this subject.

Mr. Vanneman, of Matthew Bender & Company, who is an expert in the field, is also here and he will be able to participate in the discussion with us, in answering the technical questions.

Dr. Rider, will you come forward, please? I think we are very much privileged to have you with us to tell us about the latest developments in this field of microcard in the law library.

ADDRESS OF DR. FREMONT RIDER

This talk of mine will be in roughly three parts and the first part of it, my own talk, is relatively the least important of the three. After that I am going to give you plenty of chance to ask questions and try to answer them, and after that, if any of you want to, you will have an opportunity this afternoon to look at the reading machines and the cards themselves, which will tell you a good deal more than anything I can say.

I want to apologize, too, to those of you who have read my book and to those of you who heard me speak a year or two ago here in New York to the New York Association, because some of the things I will say will repeat.

I want to start in by saying in very short terms just what a microcard is and what it is not. It is not microfilm. It is a form of micro print on paper. We have had microfilm with us for twenty-five or thirty years. We have not had microprint mainly because there was no reading machine that would read it. It has only been in the last three years that we have been able to solve that particular problem.

The reason that microprint of any kind is, we think, better than microfilm, is first of all because it is cheaper. Sensitized paper is much cheaper than sensitized film, and you start out with that as the largest single item of what the publisher calls his "duplicating cost." Besides that, microfilm is primarily a method of copying something, whereas microprint is a method of publication, that is, the number of copies in the edition is much larger, can be much larger in the case of microprint. Therefore, the fixed cost is divided among a much larger number of copies, again reducing the total cost of the item.

Microcards, however, are a very particular sort of microprint. You can have print on paper in any size imaginable, 6 by 9 or 9 by 12, or anything else, but microcards are, as you know, probably, the size of an ordinary library catalog card, and the point of having them in that size is primarily that it enables us to combine the cataloging of the item with the context of the item, so that the catalog card itself becomes the library.

Now, in a word that is what microcard is, and please do not say "microfilm" when you talk about microcards.

Now, I want to say some of the things that microcards are not, or at least, some of the things that they will not do. There are some people who I think have a sort of "All this and heaven too" complex. That is, they are not satisfied in getting a card that reduces the cost of the text to one-half or one-twentieth of the cost of the original text, to a card that eliminates all or practically all cataloging cost in connection with it; that eliminates practically all storage cost, because the card takes up practically no room, as compared with the book, and automatically eliminates binding cost, if the book is not bound, but they want other things too, and those are the things, I am sorry to say, they will not get. I might just as well say so frankly. I mean, you can't annotate a microcard. You can't write notes on its except on the back of it. You can't look at five or six microcards simultaneously unless you have five or six reading ma-

chines. So if you want to compare a number of texts at once, you have got to have the books or you have got to make notes. You can't eliminate filing by means of some mechanical device, because mechanical methods of filing cards are not suited to library practice. They are simply not practical and anyone of you who wants me to go into details, I will give you the details why.

They don't eliminate thinking. You still have got to think. You have got to have reference librarians and the lawyer has still got to do some work.

What microcards do is to eliminate for the great bulk of your material in very large proportion of its total cost, and when I say, "the great bulk," I repeat what I said in the book, and it is just as true, I am sure, of law libraries as of general libraries, that nine-tenths of the use of your material is of one-tenth of your stuff; and that the nine-tenths, if you can reduce the cost of that, the bulk of it, the original cost of it, the cataloging of it, anywhere from one-half to nine-tenths or more, you are going to greatly reduce the overall cost of your libraries.

We are going to still have books; we are going to have plenty of books in our law libraries and all other libraries, because things like digests, reference books, the man's reports of his own state—I mean, to give some important detail—and these he will want and always look for, because he will use them frequently. But the less used material, the things that he merely wants to get a citation from, to look up a reference, those he can use just as well in microcard form, we think.

Now, since the book came out four years ago, a great deal of work has been done. It is one thing to present an idea and it is another thing to make it a really practical tool, and that work has been going on for four years and it has been very expensive work. Most of it, the technical side of it, has been done by the Eastman Kodak Company and by Northern Engraving Company, working together, the Northern Engraving Company, in LaCrosse, Wisconsin.

First, however, we formed a microcard committee of librarians, and the purpose of that committee was to construct a microcard code that would enable us to make microcards that would be uniform in their format, uniform in their cataloging, uniform in their headings and so filable in a common catalog.

This microcard committee would also attempt to direct, direct by moral suasion and suggestion the publishing of microcards. The publishing will be done by any number of separate agencies, commercial publishers, institutions, individuals, anybody that wants to do publishing, just as books are published. The committee will try to coördinate that publishing to prevent overlapping and duplication and try to persuade these people to conform to the common code.

After the microcard committee was established and after the Eastman Kodak Company had spent a great deal of money in developing new emulsions and new techniques for the making of the cards, the other company, the Northern Engraving Company, has spent a good deal of money in developing reading machines. The machine that we have here is the fifth

or sixth model. The committee was anxious that the cards should be cheap and the machine should be cheap, and we successfully cut down model after model on the cost of the machine and the goodness of them, I mean, on the job that they do.

Well, that hit the high spots of whatever I was going to say to you. Supposing you ask some questions and maybe we will learn something more.

MR. ERVIN POLLOCK: Mr. Rider, what is the estimated cost of the machine?

MR. RIDER: The cost of the machine is $195 at present.

MR. POLLOCK: And the estimated cost of the cards?

MR. RIDER: The estimated cost of the cards runs from 10 to 20 cents each, depending mainly on the size of the edition. It means a great deal of difference in the cost whether fifty copies are printed or two hundred and fifty, and the average reduction to a card, I mean, the average number of pages of legal material, we think we can get about a hundred pages to a card. That is, a 700-page book will take seven cards.

W. B. ELLINGER: Mr. Rider, if I remember correctly, you proposed in your book to combine the catalog card with the text of the book. The latest microcards I have seen in Atlantic City do not any more contain the catalog information. Has that been eliminated?

MR. RIDER: You didn't look at it closely. The cataloging is still there but it is on the top of the face of the card. That change was made just a month or two ago and it was made for this reason: In the six or seven years since the book has come out, we have had an enormous increase in the cost of printing, and that increase has gotten so high that two months ago we discovered that the cataloging side of it, the side with the abstract and everything on it, was actually costing us more than the microcard side. That seemed rather absurd, because we were trying to reduce our costs. That was one reason why we made this change. So we are putting the catalog entry, much reduced, on the top of the face of the card. It comes only on the first card of the series. The remaining cards have a very brief—just a filing entry. We don't repeat the full cataloging on every card.

MR. ELLINGER: That, however, leads me to another question: If the cataloging is only a filing medium for the microcard itself, what is the advantage of having the card in a 3 by 5-inch size, if larger cards, 6 by 9, would enable us to have the entire book perhaps in one card instead of on seven?

MR. RIDER: Because although in the case of law books, which are in a class by themselves, in a way, it might be desirable to have a larger size of card, for law books generally run more than a hundred pages, but that is not true with the great bulk of materials. When you take these periodical articles, annual reports of institutions, monographs, and books themselves, and so forth, the average length of the material we have found is less than 100 pages, and there is no point in having a large card for that material if three-fourths or more of the card is going to be wasted white space. On the longer material, we can cut it up into smaller cards.

Now, that is one reason. The other reason was we wanted our cards to be

filable with our present cards if people wanted so to file them. They are standard size cards and so are filable.

Another reason is this: A small sized card like that, instead of 9 by 12 or even a 6 by 9 sheet, is easy to mail; dropped in an envelope for interlibrary loan or any other purpose. It is easy to put in your pocket. Some people say it is too easy to put in your pocket. But there is a convenience in that 3 by 5 size. We are all familiar with it and the larger size is not necessary.

I didn't wind up my talk by saying that we actually cut the cost of the card in half by means of that last change.

There is also another reason for it, which is purely a technical reason, a technical publishing reason. When we had printing, typographic printing on one side of the card and photographic printing on the other side, we could take the negative of the photographic printing and put it away in an envelope and reprint it any time easily, that is, make a new edition. But there was no reason why we could lay aside the printing and hold that for a second edition. It had to be reset and reprinted, and that, as I just said, was more expensive than the other side. Now we set up the type for the heading on the face of the card, photograph it and strip it on the card along with the micro-text photograph. Then we could lay aside our film and at any time reprint even as few as twenty-five copies on demand.

Now, that is very important from a practical publishing standpoint, because it means that the largest expense that a publisher has is very much cut down, and his largest single expense, I think he will agree—and I used to be in the book-publishing business myself—is what I call "the publisher's gamble." That is, he never knows how many copies to print. If he prints too few, he has got to reprint. If he prints too many, he has got dead stock on his hands. Now he can print very closely up to his actual advance orders, knowing that at any time he can very easily reprint. That enables him to cut down his costs very materially.

THE CHAIRMAN: I wonder if you would answer this question for us, as to what plan is being used now for printing material on micro-cards, as to determining what type of material should be put on micro-cards, and in what order and speed it is being produced?

MR. RIDER: Well, that is primarily the problem of the individual publisher. When you look at these circulars, which you will find, outside, or down in the Bender Company's room, you will see there are six publishers who are going to do micro-card publishing, and since that circular was issued, two more have been arranged for. There are a dozen more in process.

Now, each of these publishers does his own publishing exactly as a book publisher does, and the chief problem with every book publisher is to know what to select for publishing. How does he select now? Obviously, he tries to find out what his market wants, and in the case of the law publisher, I am very sure what the law publisher will do will be to circularize you people and find out what you want. That is perfectly obvious; and what you want first, he will do first. He has announced two or three

items for immediate publication, selecting things that he thought everybody would want, but from there it would be entirely in your hands.

Perhaps Mr. Vanneman, of the Bender Company, could enlighten us further on that.

MR. WILLIAM M. VANNEMAN: That is one of the things we are most anxious to get from you people here at the meeting today and over the next few days. We are particularly anxious for you to tell us what it is you need and what it is you would like to have reproduced on micro-cards.

We have in our room and we have in the back of the hall now, outside, where you had lunch, a copy of the micro-card bulletin and a copy of the mimeographic sheet on which we have listed just a few of the items which have been suggested to us, and I know that on that sheet we have omitted some of the most important items which we might have included. What we would ask you to do is to take home with you this copy—it is in a little envelope so it is convenient—take it with you and give it real consideration, as to what would be most useful to you in your actual every-day work, bearing in mind, as Dr. Rider has pointed out, that the utility of the micro-card is as a research tool; it is not for something that has to be used every day by every man who comes into your library. It is the scarce item and the item of a low frequency of use which we are interested in and which will be economical to produce on micro-cards.

Now, we have tried to simplify a little bit your problem of checking things in which you are interested, but I think that we probably missed by a good mile or two a lot of things that you would like to have, and we urge you most emphatically, please don't be reticent about telling us what you would like to have, because it is entirely possible that there are items which we feel have a limited interest, because it simply hasn't occurred to anybody to express their desire for them in book form. We have to base our judgment now on the desire for the item in book form. Well, it is quite possible that there are many things that you would like to have, but have completely ignored, because in book form they are too cumbersome, too expensive or not useful to you. But if you could have them in micro-card form, they would be very useful to you; and it is on suggestions on things like that that we will have to rely on to schedule our publication.

We started out just arbitrarily selecting three series of reports up to the reporter systems almost exclusively, because of their scarceness and that is the basis on which we have listed these few suggestions. But there are hundreds of other items which lend themselves very well to micro-carding and your suggestions in that field will help us enormously.

We will be downstairs in Room 1710 for the rest of the convention—1710-A; let me correct that; there are two rooms there—and we will be very happy to have you stop in and see us, see the machine, talk with us; give us any suggestions you have and avail yourselves of our facilities there.

MR. RIDER: I can't forbear giving you one little incident that I think will amuse you. Perhaps about once a

month, ever since the book came out, I have had somebody write me a letter, suggesting what a wonderful thing it would be if we had some way of adding to micro-cards a mechanical filing of them, and I have had some wonderful suggestions. I just want to tell you about one: A fellow out in Hollywood wrote me, and he thought that it would be a very good idea if we could in some way impress vibrations along the top of the card, so that your voice would answer those vibrations, and I suppose you would sort of whistle "Fido, come," and the card would pop up and come to you. It wasn't clear how he was going to do it, but it sounded like a wonderful idea.

I wrote back, believe it or not, and I suggested to him that I thought it was a little too complicated; that I felt it would be very much better if you could impress vibrations on the card and instead of speaking to the card, let your thought vibrations go to the card and just think them out. He wrote back and thought that was a much better idea and that he was going to think about it. (Laughter)

Are there any other questions?

MR. PRICE: I started to remark to my friends here that I have been interested in this thing, as many of you know, and I have pestered the life out of them. I want to impress upon them that they had better go down to Bender's room and look at this thing, because whether you like it or not—and I am sure you will like it—the time is coming, and I don't think it is very far away, when you are going to have to do something about it; and when you are asked about it, you had better know something about it, and here is an unrivaled opportunity to find out about it.

I know that Mr. Rider and his committee have done a great deal of work, but what most of you don't know is that the law publishers are getting interested.

This is not an academic plaything. I happen to know that Matthew Bender has gone into this thing, has spent quite a bit of research time and they have made a very careful study of it, because they are pretty sure that this thing is going to be a very significant factor in our work, and it is one in which we librarians cannot afford not to become interested.

MR. RIDER: I want to emphasize again what Mr. Price has just suggested: this full development from the beginning has been a development by librarians for librarians. Every member of this micro-card committee is a librarian, and there are on it, as you will see—well, I don't hesitate to say, chairman excluded—the foremost librarians of the country, and they have all been working their heads off to make this micro-card become a practical thing that we can all use. We are just sticking to practicality all the way through.

MR. THOMAS S. DABAGH: Speaking from Los Angeles, which embraces the City of Hollywood, or the area known as Hollywood, I want to make clear that I was not responsible for that letter to you, Dr. Rider. On the contrary, I just wonder if when microprint is applied to larger sets, such as reports, wouldn't it be far more convenient or far more satisfactory all the

way around if they were published on 6 by 9 sheets instead of micro-cards?

MR. VANNEMAN: I think I can answer that, if I may. I think that as far as your law library use is concerned, the average user of a law book, a "law tool," as I have heard it spoken of here today, is not interested in a hundred pages; he is interested in a reference to a page. If it is a case book it begins at Book 24, Page 39, and extends through maybe three or four pages at the most. That you will find on your one card, and by reducing the size of that card, you make it more available.

MR. DABAGH: I was thinking more of the use, not only in libraries but in law offices, and it seems to me it would be far more convenient to a lawyer to have sheets in vertical files instead of 3 by 5 catalog trays.

MR. RIDER: There are other reasons, if you will permit me. In the first place, to read a 6 by 9 sheet, in a reading machine is going to add greatly to the cost of the reading machine and it is a much more complicated job.

MR. DABAGH: Mr. Bonning had a machine which he sold for $50 to read micro-print, before the war. I have seen it.

MR. RIDER: I have seen it many times, too, and it was over $250. Besides that, there is this other element: If you can cut up the material into smaller pieces, it is very often a great convenience. I mean, for instance, a periodical volume. If one man takes out the whole volume, that volume is lost to your library so long as he has it. If the volume is split up into seven or eight segments and he wants only one, the rest of it is available to anyone else who wants it. As a matter of fact, that small size is an actual convenience. If there were a smaller size of card, I would be in favor of it rather than the 3 by 5. But there isn't.

MISS MICHALINA KEELER: I don't know whether this is Matthew Bender's party or not, but I was wondering how we are going to get across to the public the whole idea of micro-cards if we only go in for, say, rare materials instead of something like the *New York Times* or the *New York Law Journal,* in which you would have a reading machine around and maybe get your clientele accustomed to it by degrees? For instance, if you had a newspaper in which they were interested, and you had a reading machine, so that they could look at it, and besides that you had a regular printed newspaper, they might look at the reading machine and start this business of becoming accustomed to the machine, which after all, I think, is important and it has an important bearing on the whole subject.

I would like to have somebody discuss whether or not it would be practical to go into something like a newspaper.

MR. RIDER: Do I get your question correctly? You think it would be a good idea to have some sample materials in both forms, side by side?

MISS MICHALINA KEELER: Something like a newspaper, that people would be reading every day, instead of rare materials, in which they would be only consulting once in a while. For instance, in law, if you had the *New York Law Journal* available, to

be used, to be read with the machines, whether or not that would not draw the attention of the public more quickly than if you had a reading machine maybe with some rare report, that they wouldn't be consulting very often. They would see the machine around, perhaps, but they wouldn't see the use for it.

MR. RIDER: I am inclined to think it wouldn't be so hard to have such a combination, and the one reason I think so is because some of the science publishers, periodical publishers, are considering the possibility of issuing micro-cards of their periodicals and sending them out simultaneously with the printed periodical, on the ground that it is cheaper for a library to buy micro-cards and keep the micro-cards than to bind the periodical, and it is less than the cost of the binding in many cases.

MR. VANNEMAN: I think I can answer one point on that: I think that it is something that you librarians will have to face and help us on. It is not going to be an easy job to convert the average lawyer to use a reading machine when the material itself is available. I think using the *New York Law Journal* is an example. It is too readily available, and the only way you can force the lawyer to turn to the reading machine, the micro-card, would be to throw away the copy as soon as it is delivered to you, and I don't think they would take that very gracefully.

I think you are going to have to go at it backwards, which is to get the things which they could not otherwise get and make the lawyer grateful to you for obtaining something which he could not otherwise obtain.

MR. POLLOCK: Mr. Rider, I would like to ask one question: I happen to be an astigmatic—it is not contagious—and one of the particular problems I noted when I check the machine downstairs was the question of legibility. Now, I have got pretty good vision and I did sense a problem, as far as legibility, as far as concerns the glare of the light and the question of intensive utilization of the machine over a protracted period of time. There would be some question in terms of popularizing that form of work, and I just raise that question, whether it is just my own eyesight or whether it is a common reaction on the part of the users of the machine?

MR. RIDER: Well, I will answer that in two ways: In the first place, it is an unusual medium. You are not used to reading it in that form and at first you do brace against it in a way. Secondly, I think we will have to admit right away that nobody is going to prefer to read material in that form if it is available in book form. Now, I think that is true, unless the original is in very fine print, in which case they would prefer to have it enlarged on the screen. But the second answer is this: That although these machines have been immensely improved over the last four years, they are nowhere as good as they are going to be, I am sure. There is another model right in process now that is going to be better than this model you are going to see, and the Eastman Kodak people are working on better screens. We are going to have a better screen with less glare. This is still in its beginnings. We are going to make it better, I am sure, but again I will repeat what Mr. Van-

neman said, isn't it better than nothing at all? If you can get a copy of something in this form, isn't it better than not to have the thing at all, and wouldn't your patron think it is better?

MR. PRICE: Mr. Rider, I think the use of the word by my friend, Lina Keeler was rather unfortunate, that is, the use of the word, "rare." It is my understanding, according to Mr. Vanneman, this his kind of place for law books doesn't go in for rarities, exactly. What he means is this: That the library of the Newark Bar Association probably does not want to buy all of the reports, statutes, and so forth, for Arkansas, Louisiana, and so forth. But they are going to buy the originals for this part of the country, and if in addition they can have the other things at a reasonable price, which they couldn't afford to buy or stock in the original, then that is going to be a decided advantage to the Newark Bar Library. In other words, the Arkansas material would be scarce material, or at least not first purchase material, as far as the Newark Bar Library is concerned, and the Arkansas, conversely, they probably will not buy the originals of the West Virginia Statutes, or the West Virginia reports, but would like to have them at a reasonable price, if they could get them on micro-cards. So the stuff that is scarce perhaps or not first purchase material in one part of the country, very definitely is in the other, so I suppose Bender would publish so many reports for Arkansas; won't sell very many of those in Arkansas except to practicing attorneys, but would sell a great many of them in states a distance away from Arkansas.

MR. RIDER: In other words, this is a method not of substitution for your present library, but for greatly enriching it.

MR. PRICE: Correct.

MR. RIDER: Enriching it at small cost.

A VOICE: It strikes me that another use is in a library where 75 or 80 per cent of the material goes out on circulation and it may serve as a method for keeping a reference library available at all times.

MR. RIDER: That is why this circular, which you will probably read in due course, suggests that many of you might very well want to buy two copies of the cards, keeping one copy as reference, inviolate in the library, and circulating a reference copy, and filing in two different ways, which gives you double cataloging of it at no cost.

ANOTHER VOICE: Wouldn't it be much better to buy six copies?

MR. RIDER: Yes, sir.

Are there any other questions? I do urge you to read that circular, because there is a lot of information in it, a lot of questions are answered that haven't been brought up here. I think you will find it interesting reading, and, of course, don't fail to look at the machine. (Applause.)

THE CHAIRMAN: Thank you very much, Dr. Rider, for this very fine discussion of this new development known as the micro-card.

I think we need to say little further on it. We all want to see this equipment. I might mention that the equipment is still in the process of being improved; that if we expect eventually to get say half a dozen reading machines in our library, it

might be well to start off slowly, get one now; get an improved one in a year from now, and get the benefit of the improvements. But I think we should do what we can to popularize it and make our patrons aware of this new development.

I have a telegram that came here. It reads: "Best wishes for a successful convention. Sorry I cannot be with you." It is from Gilson G. Glasier, State Library of Wisconsin.

I think most of you have met Mr. Glasier. He wrote me in a letter recently that his State Bar Association, of which, as you know, he is secretary, is meeting at the same time and that it was impossible for him for that reason to be with us.

We have several committee reports that I would like to go over briefly and suggest that if there is no further comment from the committee on these reports, we move the adoption of them and then we proceed on to the others, except in such cases where some comment is necessary.

The first report I notice is the report of the Committee on Major Library Positions. We received no formal report from this committee, but perhaps Mr. Price has some comment that he would like to make on that. Is Mr. Price here?

(No response.)

THE CHAIRMAN: We will have to hold that over.

Then we have a report of the Committee on Coöperation with State Libraries. The chairman is Ethel Kommes, of Minnesota. Is Miss Kommes here or any other member of the committee?

ELIZABETH HOLT: There are no further reports on that.

THE CHAIRMAN: Would you move the adoption of your report?

MISS HOLT: Yes, I recommend that the committee report be adopted.

MR. DANIEL: I second the motion.

THE CHAIRMAN: Is there any discussion?

(No response.)

THE CHAIRMAN: All those in favor signify by saying, "Aye."

(Whereupon, the motion, having been put to a vote, was unanimously passed.)

THE CHAIRMAN: May we have the report of the Committee on Memorials? Is Miss Newton here?

MISS E. H. NEWTON: There is nothing further, Mr. President, except I would like to express again the thanks of the committee to those who actually did the work and sent in very excellent contributions.

MR. DANIEL: I move the adoption of that committee report.

THE CHAIRMAN: Mr. Daniel reverses his procedure a little bit now and moves the adoption of that report.

A VOICE: I second the motion.

THE CHAIRMAN: Is there any discussion?

(No response.)

THE CHAIRMAN: If there is none, we will consider that report as adopted.

The report of the Committee on New Members, Mr. Bowen. Is Mr. Bowen here?

(No response.)

THE CHAIRMAN: Report of the Committee on State Bar Association Publications. Miss Allen, of the Dayton Law Library is chairman of that committee.

MISS MARIE RUSSELL: Miss Allen is not here. My name is Marie Russell, Kansas State Library. Miss Allen says

she has nothing to add to the report as printed, and I move the adoption of the report.

MR. MORRISON (Cincinnati): I second the motion.

THE CHAIRMAN: Is there any discussion?

(No response.)

THE CHAIRMAN: Since I hear no objection, we will consider that report as adopted.

The report of the Advisory Committee on Education for Law Librarianship. I think that is a rather important committee, but we received no written report. Is there anyone—Miss Holt, do you have your report on that for us?

MISS HOLT: I am sorry, sir, but we do not have a report at this time. Of course, I realize your having few reports today, tomorrow you might get stuck for time, but we might like to get it in a little later, if we may.

THE CHAIRMAN: Is there anything further we want to take up now? If not, there is a section meeting, a round-table discussion under the leadership of Mr. Moreland, on this matter of teaching legal bibliography, here at the Penn Top, at 7:30 this evening; and then our next regular session is tomorrow morning at 9 o'clock, and if you will kindly bear in mind that we will start immediately at 9 o'clock, so that we can get through our program on time each day.

MR. MARKE: I would like to know from everyone definitely about 11 o'clock tomorrow morning about these different trips that we are going to have and also the banquet tomorrow night.

(Whereupon, at 5:20 p. m., the convention adjourned to 9 o'clock, Tuesday morning, at the same place.)

Tuesday Morning Session, June 22, 1948. 10:00 o'clock a. m.

THE CHAIRMAN: We have several committee reports that I thought we could dispose of while some of the others were coming in this morning, if the members of the committees are here.

We have scheduled the report of the Committee On Nominations. I don't believe there is much that needs to be said. The nominations were reported in the LAW LIBRARY JOURNAL. Is there anything that needs to be added in connection with that report?

MRS. MICHALINA KEELER: Mr. Chairman, I would like to make an acknowledgment, if I may.

THE CHAIRMAN: Fine. I think it is also necessary, by constitution, to file the acceptances with the secretary, Miss Coonan.

MRS. KEELER:

Mr. President, Ladies and Gentlemen:

The first presentation of the Report of the Nominating Committee is already a matter of record. As required by the Constitution, it was published in the May issue of the LAW LIBRARY JOURNAL, Volume 41, number 2.

May I take this opportunity to express my sincere appreciation of the splendid coöperation of all the members on the Nominating Committee. Suggestions were freely given, essential points were thoroughly examined. Because we were organized so late in the season, it was necessary to use the mails, regular, special and air, in

a constantly increasing tempo. I feel I cannot sufficiently praise the promptness with which each member responded to every s. o. s. Despite hindrances, we made the deadline.

On behalf of the Committee, I wish also to thank Association members whose kind attention to matters of Nominating Committee business made it a pleasure to serve.

The report is as follows:

NOMINATED FOR OFFICE, FOR THE YEAR 1948-49

President—by law, Hobart R. Coffey.
President-elect, Miss Helen Newman, U. S. Supreme Court Librarian, Washington, D. C.
Secretary-Treasurer, Miss Margaret E. Coonan, Baltimore Law Library, Baltimore, Md.
Executive Committee (1 to be elected for each term)
3 year term—Mr. George A. Johnston, Chief Librarian, Law Society of Upper Canada, Toronto.
Miss Eloise B. Cushing, Librarian, Alameda County Law Library, Oakland, Calif.
2 year term—Mr. Thomas S. Dabagh, Librarian, Los Angeles County Law Library, Los Angeles, Calif.
Miss Clara Kilbourn, Librarian, Univ. of Cal. School of Jurisprudence, Berkeley, Cal.
1 year term—Mr. Carroll C. Moreland, Librarian, U. of Pa. Biddle Law Library, Philadelphia, Pa.
Miss Margaret E. Hall, Ref. Librarian, Law Library, Columbia Univ., New York, N. Y.

I move that this report be accepted.

THE CHAIRMAN: All right, if there is no discussion or question, we will consider the repart as adopted.

Mr. Riggs, will you give us a report of the results of this election now?

MR. RIGGS: The undersigned Committee, appointed to count the ballots for the election of Officers of the American Association of Law Libraries for the years 1948 to '49 has carefully canvassed the ballots sent in, and report as follows:

(1) That 242 ballots were mailed in to Miss Margaret E. Coonan, the Secretary-Treasurer, and that 51 of these ballots were rejected for the following reasons:

25 had no name on the outside of the envelope as required.

11 voted for every name on the ballot.

8 votes were by individuals who were not members of the Association.

7 had the name of Institution, and not individual voting on outside of envelope.

The remaining ballots were counted with the following results:

PRESIDENT-ELECT

Helen Newman .....189 votes

EXECUTIVE SECRETARY-TREASURER

Margaret E. Coonan .....186 votes

EXECUTIVE COMMITTEE MEMBERS

Three year term

Eloise B. Cushing ..... 50 votes
George A. Johnston .....139 votes

Two year term

Thomas S. Dabagh .....118 votes
Clara Kilbourn ..... 68 votes

One year term

Carroll C. Moreland ..... 82 votes
Margaret E. Hall .....107 votes

(2) We the undersigned Committee, therefore declare the following officers elected:

President-Elect ..... Helen Newman
Executive Sec.-Treas. ... Margaret E. Coonan
Executive Committee Members
Three year term .....George A. Johnston
Two year term .....Thomas S. Dabagh
One year term .....Margaret E. Hall

EMILY DASHIEL
NELSON J. MOLTER
LAURIE H. RIGGS, *Chairman*

I move the report be adopted.

CARROLL MORELAND: I'll second it.

THE CHAIRMAN: Is there any discussion?

(The motion having been put to a vote, was adopted unanimously.)

MR. MORELAND: May I say something?

THE CHAIRMAN: Surely.

MR. MORELAND: This is the first time, I think, that we have ever voted by mail, and I am gratified, since I am largely responsible for getting it into the constitution, that we had 180 some valid ballots, because we never had that many.

THE CHAIRMAN: You are right, Mr. Moreland. I think it makes our election much more democratic. Normally we have perhaps 80 or 90 voting members at the most at one of these annual meetings, so that this indicates that we now have an expression of at least twice as many members in the selection of the officers for the following year.

I want to express my personal appreciation to both of these committees for the hard work which they have done. They were working under a new plan, under the revision of the constitution made last year, and in many ways they were feeling their way. The rough spots have been discovered now in the procedure. Mr. Moreland has prepared some proposed constitutional amendments, as you know, which will make the procedure run more smoothly another time, if we adopt those amendments, so that I think we have progressed remarkably in that field.

Now, we have scheduled the report of the Committee on Coöperation with the American Bar Association. Miss Margaret T. Lane, Louisiana, is chairman of that committee. I don't believe Miss Lane is here. Is she at the convention?

(No response.)

THE CHAIRMAN: Is there any other member of that committee here that can speak for it? We have a printed report of the Committee, do we not?

MISS COONAN: Yes.

THE CHAIRMAN: The report of the committee is printed in the May JOURNAL. I would like to have someone move that we adopt the report.

MR. MORELAND: I move that we adopt the report.

THE CHAIRMAN: Mr. Moreland moves the adoption of the report.

MR. JOHNSTON: I second it.

THE CHAIRMAN: It has been moved and seconded that we adopt the committee report. Is there any discussion?

(No response.)

THE CHAIRMAN: There is none, so we will consider the report as adopted.

One of the matters with respect to coöperation with the American Bar Association, certainly, is this very significant and important project which has been undertaken by the American Bar, of making a complete survey of the legal profession in this country. We have with us a man we all know, we all love and respect, because he has been one of us for many years; who is now a life member of this Association, and who was designated by the now Chief Justice Vanderbilt, formerly Dean of the New York University Law School and chairman of the survey for the American Legal Profession, for the American Bar Association, to be the law library consultant in this survey.

Actually, we were all pleased and happy to see Dr. James named to be the liaison officer between the American Bar and the American Association of Law Libraries and the libraries in this survey; and I asked Dr. James, when I heard that he would be able to be with us, to give us his remarks on the project, with respect to the law library part of it. Dr. James.

DR. ELDON R. JAMES: Ladies and Gentlemen:

I am in a rather embarrassing position. I wonder if I may have my remarks off the record.

(Dr. James then made an off-the-record address.)

THE CHAIRMAN: Thank you very much, Dr. James.

MR. RIGGS: May I ask Dr. James a question?

THE CHAIRMAN: Surely.

MR. RIGGS: Your subject here is on a survey of the legal profession. I had hoped you would speak on that.

DR. JAMES: I am sorry. I don't know anything about it. All I know about is the little piece with which I am directly concerned.

THE CHAIRMAN: There was for several years a committee, of which I was the chairman part of the time, at least, called the Committee on Local Law Library Service, and it did make a comprehensive study—it compiled at the conclusion of its work a very extensive list of all those local libraries and it studied the methods of operation. It brought out the different plans which had been evolved by groups of lawyers, for libraries in law buildings, and in a number of types to make better local law library service available. I don't believe it would be difficult to bring that up to date. It is a start which could well be made use of by a continuing committee in this work.

I might add another note or two of explanation in connection with the survey work. Those who were in Santa Fe last summer will recall that there was a discussion there in connection with the law libraries' part in this survey of the legal profession. There was some concern expressed, as I recall it, that the survey did not or had not at that time made it known whether it would or would not include law libraries as part of this survey; and it was the thought of those who were present there that the law library was an integral part of the overall picture of the legal profession and that it should have a part in it. After the Santa Fe meeting, I wrote a letter to Dean Vanderbilt and told him that we felt the libraries did have a part. I think Dr. James had just been appointed at that time as the consultant for the ABA, and I assured him that our Association was interested in the survey and that we would coöperate in every way we could in the survey of the law-library aspect.

Dean Vanderbilt replied immediately and expressed a great interest in the law-library phase and assured me that we would hear in the not too distant future as to ways in which our Association, through its appropriate committees, could coöperate. As you know, soon after that, he was appointed to the bench in New Jersey and a new chairman has since been appointed. We do have a committee which is beginning to work in preparation for the survey of the problem, which will report at the next annual

meeting. The members of this committee have been designated and appointed, you might say, through coöperative project between the outgoing and incoming presidents.

This brings me to our main talk of the morning, which is the participation by the law library profession in the survey of the legal profession.

MR. RIGGS: May I ask Dr. James a question before you go on to that?

THE CHAIRMAN: Yes.

MR. RIGGS: Dr. James, you undoubtedly have given the subject a great deal of thought. Don't you think it would be a very large job for anybody to undertake a survey of law libraries of this country? Suppose each county in our state, each county does have a library and they have built up a fairly good library; but there are so many counties in this country and it seems to me to be a great job to undertake a survey of this kind.

DR. JAMES: I think it is a big job. It is not going to be done by one person, but with this list of correspondents who need to be cultivated because they haven't been cultivated as yet, I think it might be possible. At any rate, it is well worth starting, I think. Maybe you have to limit it as you go on, I don't know, but it is going to be a big job, yes. I quite agree. It can't be done by one person.

THE CHAIRMAN: I think perhaps that a further discussion on this subject might well be held up until after we hear the thoughts which Mr. Pollock has on this subject.

What Dr. James has told you this morning, may change the picture somewhat as to what our plans were. I don't know whether you were advised beforehand, Mr. Pollock of this report or not, but I think we can use a great deal of what we have already done in continuing the project. However, we may need to change our course somewhat in doing it. So I believe, before we continue, I would like to have you present your discussion on the survey of the legal profession and its participation by the law libraries therein.

Mr. Pollock, I think we all know him, is law librarian of Ohio State University.

MR. ERVIN H. POLLOCK: Before I begin my prepared statement, I think I might add a preface, that I wasn't aware of the last-minute details which Dr. James presented to us, and advisedly, as President Poldervaart pointed out, definite modifications of the very tentative proposals which I have to make will be in order.

The Survey of the Legal Profession under the auspices of the American Bar Association originally began as a study of legal education and admissions to the bar by the American Bar Association's Section of Legal Education. To treat adequately the problems of legal education, it was concluded that a broader program, which evaluated the legal profession in its entirety and included education, was needed.

With no attempt at epitomizing this plan for self-appraisal by the legal profession, it may be stated that its scope will encompass the following considerations:

1. The professional service of the Bar.
2. The public service of the Bar.
3. The judicial service of the Bar.
4. Professional competence and integrity.
5. The economic security of the profession.

The work of the Survey is divided

into various topics with a consultant assuming the responsibility for each subject. On each topic, one or more correspondents was appointed in each state. Our field of interest, the law library, is a subject of this study with Dr. Eldon R. James serving as consultant.

The pattern followed by the Survey, its appraisals, conclusions and recommendations as they relate to law libraries will have a significant influence on the further development and growth of our libraries, their services and the professional and personnel standards of law librarianship. It is important, therefore, that the law library profession actively assist in this program and provide Dr. James with all available assistance in formulating and executing his report.

Of necessity, the final report of the Director will contain only general references to the law library field; hence, in this connection, it seems advisable that a broader and more detailed study be made of our profession. This intensive study should provide the Survey with adequate data and information. It might also be the basis for the development of standards for evaluating law libraries and patterns for the performance of functions and services in our institutions. The library study might also include such detail as may be helpful to support the law librarians in any attempt to give effect to recommendations and conclusions. As Professor William R. Roalfe in a recent communication succinctly concluded, "Preparation of detailed reports in support of a general report has become such common practice that it might well be followed in this instance."

II. PROCEDURE FOR THE LAW LIBRARY STUDY

These remarks are intended to be prefatory and merely introduce the subject for the discussion which is to follow. Therefore, without attempting to formulate a procedure for the study or circumscribe its scope, I will only present a few general thoughts to begin the discussion.

Dr. James, in his recent Report to the Director and the Council of the Survey of the Legal Profession, classified law libraries into 10 types. They may be roughly grouped into three divisions. One, Law School Libraries; two, Bar, Institute, Building and Office Law Libraries; and three, Federal, State, County, Municipal and Court Law Libraries. While law libraries have many similar features, their diversified objectives, programs and clientele provide them with distinguishing characteristics. In fact, these manifestations appear in some single units, such as law school libraries, where school programs and studies vary. To avoid needless qualifications and provide desired emphases, our study might be divided into the three fairly homogeneous divisions noted above.

With these thoughts in mind, a General Chairman and three Division Chairmen were appointed recently by President Poldervaart of AALL with the concurrence of President-Elect Coffey to assist in this program.

The intention is that each chairman prepare a preliminary report consistent with the plans formulated at this meeting and that each report be circulated to the members of this Association in advance of our next annual

session. This procedure should provide ample time and adequate consideration for the review of the studies. Then, in all probability, each program will be discussed at Round-Table meetings during next year's convention.

Finally, based on the preliminary reports and discussion, a final report would be prepared by each chairman. It would include a list of all participants of the Round-Tables. By this medium, the program, its recommendations and conclusions would carry the full impact of the Association and widest cross-section of its membership.

The final report might contain not only detailed data, evaluations and conclusions but also recommendations for the improvement of programs and services and law library economics.

III. SCOPE, METHOD AND SUBSTANCE OF THE LAW LIBRARY STUDY

Initially, we should determine the purpose and scope of the reports. Should these studies be sufficiently broad to establish patterns for the evaluation and survey of the law library field and each library in it? Should they include all phases of library activity, such as research, book selection, cataloging, reference work, personnel, budget, binding, circulation systems and statistics, the physical plant inventory control? Also, can sufficiently broad patterns be developed to permit objective evaluation of our institutions? These are a few introductory questions with which we might start our discussion.

As to data-gathering techniques, the questionnaire procedure, as suggested by Dr. James in his recent report, appears to be a practical method for gathering the information desired.

IV. CONCLUSION

The Survey of the Legal Profession provides an incentive to Law Librarians for institutional appraisal and self-analysis. While the standards we devise may be of some aid to the Survey, it is hoped that from this activity will emerge a detailed program for institutional improvement and professional advancement. (Applause)

THE CHAIRMAN: Does anyone have any questions he would like to ask Mr. Pollock in connection with the plan as it has been tentatively set up for carrying on this very important work?

MR. MORELAND: I wonder whether or not we will have time to make any kind of a competent survey, in order to get a preliminary report published in the now current LAW LIBRARY JOURNAL and have it distributed in time for us to look at it before the next meeting? It seems to me that is almost more than we can hope for. What do you think? Do you think we can actually make any kind of a survey? The Committee Chairman can make reports, but what kind of survey would they be able to make in six or eight months?

THE CHAIRMAN: Well, that is a very significant question that you ask there, Mr. Moreland. The suggestion was a very tentative one, as far as our consideration goes. I am inclined to think that if after getting the wheel rolling, the time factor becomes a significant one, modifications would be in order. I do think, however, that we ought to have definite deadlines and we should try to keep them. However, we

shouldn't set the impossible. If one year is felt to be too short a period of time, let's modify it. I would like to hear what you have to say, Mr. Price?

MR. PRICE: Well, I am very much in favor of doing the job as well as we can; but also as a factor of speed, I think that unless we make an adequate report, something which has some real impact to it, we are going to be left tailing the dog and that whatever report we do make will be of not any particular weight in connection with this survey. I think that if the librarians are sufficiently interested, that the questionnaire technique should not take too long. It is mostly a matter of when you get one of these things, of getting the job off your hands and not do as I do and put it on the desk for future reference. If we could have it impressed upon us, as we should, that here is an opportunity, not only an opportunity but an obligation, on the part of law librarians to do something to make their professional weight felt by the American Bar Association, then I am very strongly of the opinion that we could, and I certainly think we should get this thing ready for the next meeting and not delay it beyond that period.

MR. HOBART R. COFFEY: Mr. Chairman, is the American Bar Association willing to put up any funds for this purpose? I understand it is the ABA that is doing the main survey and it is for the Bar Association.

THE CHAIRMAN: That's right; there is a main survey being done. The hope was that the American Bar would recognize that the law libraraies would constitute an essential part of the profession and that certainly we would participate fully in the law library aspect. I have not heard directly on that point. I take it from the fact that no secretarial help is available for the consultant, that probably there has not been any money set aside, or very little that could be found or counted on for that sort of thing. However, I do think that it is a question for us to determine, whether we might not go on independently, if necessary, to make a survey.

MR. POLLOCK: We might place that in the form of a question to the body and get their reaction.

MR. CHAIRMAN: As to whether we should go independently?

MR. POLLOCK: Yes.

DR. JAMES: Mr. President, I don't like to speak, but why should a decision be made now as to whether to go on independently? I haven't been able to get any funds, but this Association may be able to get funds from the survey, if it applies. I don't know, I am sure, but if they don't give you anything, then the question, of course, could be decided here one way or the other, either to apply if you get funds, use them, and if you don't get funds, to go on independently. It could be put in that form. But I don't think we ought to make a decision now, definitely, one way or the other and make the survey depend on whether we get funds or whether we don't get funds. I am not at all certain but what the Association might get funds if it applied.

MR. V. M. SMITH: Mr. President, I have been handed a resolution, which I offer not in any definitive form whatsoever, but merely something to talk about. I move that we adopt the

following resolution: Resolved that the president and the executive committee are authorized to negotiate with the administration of the survey of the legal profession, to the end that the survey shall support adequately a survey of law libraries and the Association shall offer to the survey its fullest co-operation therein; or failing therein, the Association itself shall undertake such a survey, if in the opinion of the executive committee it has adequate financial and manpower resources to support such a survey.

Now, probably, technically, that resolution is subject to complexity and compoundedness but I think that, in general, carries out the idea that first of all it would be advisable to have this survey, the survey of law libraries, conducted under the auspices of the general survey, with the very closest co-operation of our Association; and the resolution implies that first we would endeavor to get the survey itself, to adequately support it and would lend our support in such a way as to be appropriate, and secondly, it would allow the executive committee to determine whether those negotiations were satisfactory, whether the work to be done under the survey itself would be adequate; and if they decide it would not, for us to move ahead if we felt that there was adequate support, financially, and adequate manpower support to do the work, because I am thoroughly convinced, and I think everyone is, that this is a matter, fundamentally, of money to carry it on, and we can't ask for a great deal of voluntary support without the necessary stenographic and other help to do it.

It is certainly a big job, and although the members of the Association and the correspondents are willing to devote a great deal of time, the big job is one of assembling information, co-ordinating it and developing it on the highest levels, and that is where the experience of Dr. James and those others who have participated in this work in its preliminary stages is very important.

THE CHAIRMAN: You have heard the resolution read, which Mr. Smith has moved to be adopted.

HARRY BITNER: I second it.

THE CHAIRMAN: It has been seconded by Mr. Bitner. I think we all understand the import of this resolution to be, first, that we seek, if possible, to obtain the financial support of the ABA general survey of the legal profession, making the law library a part of this general survey.

The advantage of that is that it would make this survey available to all members of the Bar over the country as members of the American Bar Association. But failing in that, this resolution provides that our committee, which has been constituted, would go ahead if financial funds can be made available, from our own organization to independently make such a survey of the law-library profession.

DR. JAMES: I think I misunderstood the resolution. Now that you have read it, I will say this: Mr. Smith's resolution first impressed me as being this, involving a resort to the American Bar Association for support. I would say, "The financial support coming from the American Bar Association or from other sources." It is possible – I don't say that it can be

done – but it is possible we might secure the interest of some foundation in this sort of thing, if the American Bar Association isn't able to support it. I think Mr. Smith would quite agree with that, but I suspect that the resolution, as I have heard it completely stated by the president – I didn't catch it clearly when Mr. Smith stated it – does cover that aspect, does it not?

THE CHAIRMAN: I think the committee will have the power to survey the possibilities of financial support other than from the Association treasury. Is it broad enough to cover that?

MR. SMITH: It certainly is not restricted to our own treasury.

DR. JAMES: That is all right, Mr. Smith, I think.

THE CHAIRMAN: Is there any further discussion?

MR. DABAGH: I am just wondering what value an independent survey would have. Isn't the value of this, if the general survey incorporates law libraries, perhaps suggestions and recommendations regarding law libraries might have some weight? But an independent survey by ourselves alone would get no more consideration and have no more long-term value than the work that has already been done by the committee, of which you served as chairman, Mr. Poldervaart, so I just wonder why we should go through the whole procedure all over again. Perhaps all we should try to do is try to get this into the general survey and if we fail there, then just forget it.

MR. SMITH: Mr. Chairman, I am somewhat inclined to agree with Mr. Dabagh, but not wholly so. There was an intention in this resolution to be able to do a bit of horse-trading, or to exercise some pressure if the executive committee is given authority to move forward. It may have some psychological effect in its negotiations. That is part of the point which is responsive to Dr. James' idea.

THE CHAIRMAN: Does anyone care to make any further comment on this subject?

DR. JAMES: I am inclined to think – I don't want to speak too much, I shouldn't, but I am interested in this and I hope you will forgive me if I am talking too much – I think there is a good deal in what Mr. Dabagh says, but I think the survey would be very glad to accept a survey made by this Association, provided it didn't have to do it itself. I rather think so. I don't think there would be much difficulty there.

THE CHAIRMAN: I will say this, in connection with that previous committee work, the suggestion was made at the time by Mr. Morrison that we send some publicity, a copy of the report, to the American Bar Association for its use; and it published a very extensive article on it in the American Bar Association Journal at the time, so that, as you say, I think they would be interested in it, and no doubt we could at least have the essential information gathered from such a survey, circulated among the members of the American Bar Association.

Mr. Morse, have you any thoughts on this subject that you would like to go into the hopper?

MR. LEWIS MORSE: I am sorry, but I came in late and I am not up to date on the discussion.

THE CHAIRMAN: Then, if there is

no further discussion, let us put the question. We are voting on this resolution, proposed by Mr. Smith, to proceed in co-operation with the American Bar, if possible; if not, independently, in making this survey of law libraries. All those in favor, signify by saying "Aye."

(The resolution, having been put to a vote, was unanimously carried.)

THE CHAIRMAN: The next item on the agenda is the report of our various representatives on joint committees with other associations. The first one scheduled is the report of the representative of the Joint Committee on government publications. Our representative is Miss V. A. Knox of Connecticut. Is Miss Knox here?

MISS V. A. KNOX: There is nothing further to report. We have been inactive.

THE CHAIRMAN: Will you move the adoption of your report?

MISS KNOX: I move the adoption of the report.

MR. RIGGS: I second it.

THE CHAIRMAN: Is there any discussion?

(No response.)

THE CHAIRMAN: All those in favor of adopting the report, say aye.

(Whereupon, after having been voted upon, the report was adopted.)

THE CHAIRMAN: We now have the report of the representative of the Joint Committee of Documentation Service, which also is available in the printed reports, I believe. Miss Frances Farmer, of the University of Virginia, is chairman of that committee. Is Miss Farmer here this morning?

(No response.)

THE CHAIRMAN: The next is the report from our representative on the Joint Committee on the Union List of Serials. That is Miss Mary McGrath, State Librarian of Wyoming.

MISS MCGRATH: Mr. Poldervaart, a meeting of the Joint Committee on Union List of Serials was held in New York on April 5th. As you know, I was unable to attend this meeting. However, I talked to Mr. Wright while in Atlantic City and he informed me that at the present time nothing is going to be done except to try to raise half a million dollars to set up an office in Washington; and he said their next meeting will be held in Washington, D. C., some time in October. That is all I have to report.

THE CHAIRMAN: Thank you. I believe you filed a copy of that report, did you not, the original report?

MISS MCGRATH: I filed a copy of the minutes of the meeting with the secretary. I have a copy, if you would like to have me read it, I will be glad to do so.

THE CHAIRMAN: Well, it is in the printed report, so that will not be necessary. Since there are minutes rather than a report, I believe we need not take any action there.

We have a committee report held over from yesterday. This report is of the Committee on New Members. I would like to clear that off the docket if we can. Is Mr. Bowen present?

(No response.)

THE CHAIRMAN: Is there any other member of this committee that can report for the committee, the New Members Committee?

A VOICE: Mr. President, I am a member of the committee, but I

haven't had any recent contacts with it. Since the report came out, I know of no additions to it.

THE CHAIRMAN: We will hold it until the next session.

We have some time left this morning and if possible I would like to clear up some of the other committee reports which were set for later sessions, in order to give us time and opportunity for more discussion, particularly this afternoon, when we have a rather full schedule. If any of the committee chairmen are here, who would wish to dispose of their reports at this time, I would be glad to offer them the opportunity to do so. I will read through them here, as they appear in the extended program, in the May issue of the JOURNAL, and if you are prepared to comment on the report so that we can dispose of it at this time, I think it would be well to do so.

Mr. McDermott is chairman of the Committee on Co-operation with the American Library Association. Originally, Miss Helen Hargrave was appointed to that committee, but because of serious difficulties developing at home and at the library, she was unable to continue as its chairman, and Mr. McDermott who took over the work rather late and was unable because of that to get a report in with the printed reports.

Is Mr. McDermott here?

MR. BITNER: Mr. Poldervaart, Mr. McDermott will want to make a report following Mr. Hill's talk. I thought he was to get in touch with you about that.

THE CHAIRMAN: He hasn't. I will mark that for later presentation. Thank you, Mr. Bitner.

The next report that I see here is one which I would like to hold over until this afternoon, on the proposal to make the American Law Library Association a truly representative association of American Law Libraries, as it ties in with the rest of the program.

Mr. Moreland, are you by any chance prepared to take up the constitutional question, or would you prefer to have that this afternoon?

MR. MORELAND: It doesn't make any difference to me.

THE CHAIRMAN: Then you might as well go ahead.

MR. MORELAND: It seems to me that what this committee proposes is very simple. I take it we should perhaps vote on it this afternoon, at the same time that they are voting on the proposals that Mr. Roalfe made. The only thing that this committee did was to change the machinery, or rather the dates of the machinery, with respect to nominations worked out. The dates originally put in were difficult to meet, and therefore we changed the dates. There still is time enough for anybody to put in additional nominations, which I might point out was not the case this year.

We also suggested that in order to clarify the situation in one section, not only notice of proposed amendments but ballots be sent to members. Then there is one other thing which I should think you perhaps might want to think about — we haven't any proposed amendment, and therefore there is nothing to vote on, and that is whether or not you can amend an amendment at the meeting. At the present time you cannot amend an amendment, because you vote on amend-

ments by mail, and I think that is perfectly obvious.

It is also obvious that frequently you would like to change the proposed amendment at the meeting and it means a whole year's delay if that is the situation, and I don't know how important you would feel it is to be able to vote by mail on constitutional amendments. Actually, mechanically, it is easy to do so, but as far as any changes, it is impossible.

Now, if you want to make a change of proposed amendments, you will have to change our constitution now so that it would provide for voting on amendments only at the meeting.

THE CHAIRMAN: As I recall, we had a little tangle on that at the Santa Fe meeting last year. It is a problem that should be clarified. Does anyone have any further thoughts on it?

MR. RIGGS: Mr. President, I am of the very strong opinion that we ought to vote for amendments at the meeting and amendments ought to be allowed, because it seems to me just impossible to get the true sense of the Association by ballot; it is too cumbersome. It is just not practical, in my mind, to have it done by ballot.

THE CHAIRMAN: I am inclined to agree with Mr. Riggs on that point. There is a query which runs through my mind, that I might suggest as a possibility, and that is, after an amendment has been duly proposed and has been sent through the mail to the members, whether such a subsequent amendment to the proposed amendment if it is to be adopted, should perhaps not be passed by a two-third vote, making it possible to make such amendment but subjecting it to more than the ordinary majority vote in order to make it part of the constitution.

MISS E. B. CUSHING: I was one of those objectants, I believe, in Santa Fe that rather mulled it over during the year. If they still wanted to retain the ballot, there would seem to be a possibility that the notices of amendment go out, as they go out now, that anybody who wishes to offer an amendment could send it in to the secretary before the ballots went out. They would have then the amendment to the amendment go out with the ballot, and there would be the same opportunity for everybody to ballot on the proposed amendment. Of course, the only difficulty with all of that is, it precludes any chance of discussion. Very often if you hear the discussion you change your mind either on the amendment or on the original just as it may be. It is very hard, I think, through the mail, to know what is in the mind of the person proposing an amendment to the amendment, unless a long discussion is sent out with it but there is a possibility at least to give those who have some other idea a chance to make their suggestion.

THE CHAIRMAN: Was it your thought, Miss Cushing, that that would do away with the oral amendment at the convention, or would that be in addition thereto?

MISS CUSHING: No. You see, we were handicapped last time, because we couldn't make an amendment to the amendment after the ballot. This at least would let the proposed amendment to the amendment go out so that the whole organization could vote on it. I was not suggesting it as an addition, but personally I believe it is far less cumbersome to have the amend-

ment passed at the meeting, where everybody has a chance to discuss it, and any ideas that may come up without discussion, it is very hard to know just how you do feel on the proposition.

MR. MORELAND: There is a possibility, it seems to me, that if you allow an amendment to an amendment at the meeting, since the proceedings are now coming out currently, to vote by mail after the proceedings have been published.

THE CHAIRMAN: That is a good thought.

MR. ELLINGER: One year ago, I drew up a constitution and by-laws for another professional association, and I also used the American Library Constitution as the pattern and considered very seriously the method of voting at a meeting and at the same time sending in ballots for amendments, and I discarded it because of that cumbersomeness of the proceeding and just for the very reason that persons who sent in their ballot have to stick those ballots – those ballots have to be counted originally as they stand, regardless of amendments offered at a meeting. Since, according to general parliamentary rules, amendments always can be offered to amendments at a meeting, I think if we want to retain at all the mail ballots, it should be subsequent to the meeting rather than preceding it, and I would support the preceding proposition.

MR. GAY: Mr. Chairman, you might be interested to know the experience of Special Libraries Association on that particular question. Some years ago we tried to do just this and we have reverted again to adoption of the amendment at our annual convention. It is too cumbersome to try to vote on amendments to amendments. It would entail too much work and too much back and forth process, and you get nowhere. It takes years before you even pass an amendment to an amendment. We have now reverted back to the procedure of demanding amendments at an annual convention.

THE CHAIRMAN: Is there any further discussion on this matter?

MR. MORELAND: Do you think we could get an informal vote on the sense of the meeting, with respect as to how it should be done, whether it should be done as it is now, or should we change to a non-mail vote? Actually, a non-mail vote, that is to say, a vote only at the meeting, or perhaps a third alternative, a mail vote after the meeting.

THE CHAIRMAN: All right, will those who would be in favor of having a mail ballot similar to our selection of officers, entirely by mail, raise their hands, a mail ballot which would go out to every member of the association before the annual meeting. The results would then be announced at the meeting, as to the constitutional amendments which passed, and those which failed. Will all those who are in favor raise their right hand.

Well, it seems that proposition is out, Mr. Moreland.

Now, let us try this one: All those who would be in favor of no-mail ballot in advance, but of voting on the matter so that it would be subject to discussion here, where all the pros and cons could be heard, and then taking the ballot on the proposed constitu-

tional amendment at the meeting. All those in favor of that, raise your right hand.

A VOICE: At the meeting?

THE CHAIRMAN: At the meeting.

(There was a show of hands.)

THE CHAIRMAN: I counted forty-five votes on that.

Now, how many of you would favor the initial proposal, to be mailed out before the meeting, discussion at the meeting, including submission of possible amendments, but then if there were amendments, having a final vote including these amendments taken immediately after the meeting by mail ballot?

MR. PRICE: May I say something before the vote on that?

THE CHAIRMAN: All right, Mr. Price.

MR. PRICE: I would like to go back a little bit to the history of this balloting by mail. It was over several years, as Mr. Moreland knows, because he has been the perennial and very efficient chairman of the Committee on Constitutional Revision. The reason why that was done in the first place was because generally so small a percentage of the membership are present to take part in the voting in any one meeting. Therefore, a number of the members thought that democratic procedure would have been to get those who do not attend meetings, that is, every meeting at least, but who are nevertheless good, active and loyal members, that they should have an opportunity to express themselves. For that reason, I favor this third procedure. It seems to me to combine the good features of both of the other two, and Mr. Gay's special library experience doesn't confound him at all, because we are such a small group compared to them, that the procedure, as a matter of fact, is not particularly cumbersome and it does preserve some semblance of democratic procedure, where everybody has a chance to state what he has to say.

MR. RIGGS: May I just clear myself?

THE CHAIRMAN: Surely.

MR. RIGGS: Our first suggestion was the suggestion that the minutes be sent out to the members before the meeting and then be voted on at the meeting.

THE CHAIRMAN: We are ready for a vote on the third proposition. This is an informal vote for the guidance of the committee.

MR. ELLINGER: Has there ever been a study made as to whether the returns received in the mail amount to the same number of votes which passed in an annual meeting? In other words, can we expect more votes from a mail ballot?

THE CHAIRMAN: Mrs. Helmle made an interesting observation in connection with the voting last year —

MR. MORELAND: I don't recall the exact figures, but I am sure there were more votes cast by mail than there were people present.

THE CHAIRMAN: Yes, I understood that.

MR. MORELAND: Than there were people present today. We had 240 people who tried to vote for office. We never had that many people who came to a meeting.

THE CHAIRMAN: Yes, I think the proportion would be comparable to a vote on the officers.

MISS CUSHING: I just want to be sure

that what I would be voting on would be on the referendum.

THE CHAIRMAN: That's right. This is where the opportunity is given to vote by mail after the meeting on the original proposition, plus any amendments to be made.

MR. RIGGS: Mr. Price, was it your idea that the members who were not there would in some way have the benefit of the discussion at the meeting, so that they could be governed by the discussion that took place?

MR. PRICE: Hardly. Some excerpts of statements of pro and con could be made perhaps following a meeting. But even if you don't do that, it still seems that my observations on the democratic procedure have some validity. Mr. Moreland will remember what I said about the way the whole thing came up originally, which was because it was felt that participation by a larger number of the members in all these things was a good thing and would make them feel more a part of the Association and we would then get a better cross section of opinion. So it seems to me that, admitting the imperfection and the inadequacies of transmission of information regarding a discussion, that this third alternative would have considerable to commend it.

MR. MORELAND: Mr. Riggs, I also suggested that the ballot not go out until the proceedings number had been published. Now that we are up to date, it should come out in August. That would mean a delay of two and a half months before you vote and that ought to take care of that situation in most instances.

THE CHAIRMAN: We will take the vote on this third proposition, which includes the features of voting on the amendment or amendments after the annual meeting and after the proceedings number has been published or, I suppose, as could be arranged, in lieu thereof, if for any reason it didn't come out promptly, with a summary of the reasons supporting the proposed amendment –

MISS CUSHING: I am on my feet again, but there is a little question in my mind: Will we take any vote at all here at the meeting, or would everybody vote by mail after the ballot went out?

THE CHAIRMAN: Well, probably it would simplify matters if everyone took the mail vote, all would have opportunity to vote then.

All those in favor of the proposition as thus stated – now, you remember, you voted awhile ago, forty-seven of you on another proposition. Don't vote again.

MR. MORELAND: Might I ask this: An amendment is submitted by a committee and at the meeting when it is discussed, an amendment is proposed. Now, what do you do when it comes to voting by mail? Do you vote on the amendment to the amendment and then also on the amendment proper, or do you suppose we should dispose of the proposed amendment to the amendment at the meeting?

THE CHAIRMAN: That presents a problem in parliamentary procedure. Amendments have given us trouble at the meeting, because those who aren't here haven't had a chance to discuss them, so we said we couldn't vote on them at the meeting.

MR. RIGGS: Mr. President, I don't

see how it is practical to resolve these things by ballots, by people who aren't there. There are so many amendments that come out; there is so much discussion that takes place; and you have got to decide those things there. You can't send every question that arises out and vote by ballot. It would take an interminable time.

MR. DABAGH: Mr. President, it seems to me that Mr. Riggs is getting a little technical here. There is no reason why the group in convention can't vote on the propositions as their sense, as their recommendations to the Association. Then the final ballot would determine the real vote of the organization; and may I also appeal from your decision that those who have already voted can't vote again? This is merely an expression of opinion and people can vote for what they first prefer, second prefer and so forth. Now, I would vote, would have voted for the proposition voted on before, except that I knew you were going to suggest this, so I withheld my vote. Some of the others may not have withheld their vote.

THE CHAIRMAN: I stated that very purposely, as I did, Mr. Dabagh, because I wanted to see if someone would raise this point. There are some that may be convinced, now, after hearing other discussion, to vote otherwise, and perhaps we should take a revote on the other. We will do that in a moment, after we take this one. After all, we are trying to get the concensus of opinion after we have discussed all of these propositions.

Let us vote now on this one, and I will state it this way: If you voted with the forty-seven a moment ago for handling everything at the convention, you can switch now if you want, to this third proposition. How many are in favor of it?

A VOICE: Which one?

THE CHAIRMAN: The third proposition.

(A show of hands.)

THE CHAIRMAN: All right, I have thirty-five votes.

MISS CUSHING: Mr. President, it may be right to make one other suggestion: May not those not able to be at the convention be allowed a proxy, to be allowed to vote at a meeting? If we should take a meeting vote, why not those who are unable to be present at the meeting, why can't they give their proxy to somebody in their district?

THE CHAIRMAN: Of course, the difficulty is, Miss Cushing, that you do not know when you leave what these amendments will be when you get there, and you are really exercising your own views in the matter, rather than those of the person for whom you are voting. That is often done, but is it getting the true view of the Association?

MISS CUSHING: Well, the person that gave you the proxy, would have given you an idea of what he would like, probably with the authority to include any change that didn't materially change this matter – that is merely technical. The amendment would go through, and we do that in many organizations, have a proxy who is authorized to pass on everything with the viewpoint of the person giving the proxy. What they would do about the amendment if they are absolutely against it, of course, you don't know.

Otherwise it would give you a certain leeway and you could do something with it.

THE CHAIRMAN: If there is any substantial interest in the matter of proxy voting, we might take a vote on that. It is an interesting subject, and we might take a vote on that after we dispose of this other vote, for the guidance of the committee in its consideration in endeavoring to solve that question.

Is there any further discussion? Is there any discussion now before we take a revote on doing our voting entirely at the annual meeting, including the original proposal, which, however, has been mailed out in advance to the membership, so that it will be prepared to suggest an amendment if it wishes, and then voting on the amendment as well at the annual meeting? All those in favor, signify by raising your right hand.

(Show of hands.)

THE CHAIRMAN: Twenty-three. So that third proposition now seems to be the favorite one, that is, to vote on the amendment and the proposal after the annual meeting discussion.

MR. MORELAND: I think Miles Price has called me a constitutional authority, which I am not. I wonder whether or not the committee shouldn't submit two changes. Obviously, the meeting doesn't approve of the present method and it seems to me what they should present to the membership then on the second and third as alternatives, rather than to say, "Submit only the one," which, of course, now is the only one that they would be able to vote on at the next year's meeting.

THE CHAIRMAN: Yes, I suppose that could be done.

MR. MORELAND: Because if you vote "No" against Proposition No. 2 by mail, you might vote against No. 3, but you might not vote, "No" for three of them.

THE CHAIRMAN: Does anyone want to say anything further in connection with proxy voting, that was mentioned by Miss Cushing?

MRS. KEELER: Mr. President, I question whether a proxy vote can be given on an unknown proposition, which an amendment to an amendment really would be.

THE CHAIRMAN: Does anyone want to vote on that subject? Would you care to have a vote on that, Mr. Moreland?

MR. MORELAND: Why pick on me?

THE CHAIRMAN: You are still chairman of this committee.

MR. MORELAND: I don't care about a vote. If it isn't strong enough, I would just let it go.

THE CHAIRMAN: All right.

Is there anything anyone wishes to bring up before we adjourn?

MISS CUSHING: May I ask, was any ballot sent out on these amendments to the constitution, because we received none?

MISS COONAN: The notice of the amendment, but the present constitution doesn't provide for mailing the ballot. That is in the amendment Mr. Moreland is proposing, the addition of the secretary's mailing the ballot. The ballots are here for voting; we will vote on the proposition this afternoon. That is when they were scheduled, and there may be some who were not here this morning who wish to vote.

All those here this morning know we will vote on these as well as the

proposed amendment of the committee, of which Mr. Roalfe is chairman, relating to the proposition of separating the office of executive secretary into two separate offices, and we will vote on both sets of amendments at the afternoon session.

THE CHAIRMAN: I have been asked to announce that the officers' luncheon for the outgoing and ingoing executive committees is to be held on this floor in Conference Room 9, instead of in Parlor C, as was announced on the official program, and that is set to start promptly at 12 o'clock. Will the members please be prompt as the time is rather short. We have a heavy program this afternoon so we want to start promptly at 1:30. We are getting out early this morning and I will appreciate it very much if all of you will be present promptly at 1:30 to start the afternoon session.

(Whereupon, at 11:05 a. m., the convention took a luncheon recess until 2:20 p. m.)

THE CHAIRMAN: One of the committee reports which we have held over from yesterday is the report of the Advisory Committee on Education for Law Librarianship. Miss Holt tells me that that committee is now ready to report.

MISS ELIZABETH HOLT: Yes, sir. If you can't hear me, I hope somebody will put his hand up and do something to indicate it.

Since the formal requisites for librarianship have been pretty well set, this year we devoted ourselves more to the practical end of training for librarianship, past the point of getting there, more the idea of further education once you get into the field, and we have two recommendations to make. If we have time, perhaps we can have some discussion right now, and then we have recommendations to the committee for next year.

We have two recommendations — and I am afraid they are a little bit out of line from the usual procedure — our first suggestion is the exchange of librarians as we exchange law professors, with the idea that if you go from one library to another, you will learn new techniques and new methods of procedure, which might be helpful to you. Also, it will give a very broadening aspect to the library field. Some of us are in small libraries and we haven't the faintest idea what they do in the large ones, and I am sure librarians from the larger ones have no ideas of the problems or the techniques that we use in smaller libraries.

Therefore, our committee felt that if there could be an exchange of librarians, it might be helpful to both groups, the larger ones and the small ones. Of course, to do so, you have to have an opportunity for a librarian to get a sabbatical leave, which, for the moment, I think, is just about non-existent. That, of course, would mean we have to push that idea of librarians, as well as their getting sabbatical leaves.

That is merely an idea and we realize we are being very idealistic, but we hope you will all think about it and maybe some day we will get around to doing it.

Our second suggestion is a little more practical and something we can all start next week, when we get back to our libraries, and that is the exchange of staff manuals. Every library has its own particular troubles and its

own procedures. There are many libraries that could and would be perfectly willing to exchange procedures, or to change procedures if someone would point out some other way to do it; and in the idea of each library having a staff manual and having it in the form that it could be loaned to another library, they could look over it and perhaps pick up a few ideas.

We realize, of course, that manuals are a terrific job and most of us don't have them in the form that we want to loan them to anyone, so that it was suggested that if we take one particular phase of library work and start with that, it probably would be easier to get started.

We might take, for instance, a sample pertaining merely to order work or to reference work, or something of that nature. Each one of us might be able to give an idea to someone else, and if we could look over and see how other people do it we might iron out our own troubles, and we might also help the other library to iron out its troubles. I think that is a good idea, in that most of us never get together to talk over, "Well, what can you do when you have this trouble, when you have this problem come up?" and of course the convention is not the place to do it.

Now, we felt that if librarians felt it would be advantageous to do this, our committee, the committee for next year might act as the exchange board and when you have your staff manuals made up, just have an extra carbon copy made for distribution, which could be sent to the advisory committee; then any librarian interested in seeing what the others do, could merely write and request the staff manual for a library of their size.

Now, I don't know, or the committee doesn't either, what you all think about the idea, but we feel that it would be a great advantage to the other people in the Association.

THE CHAIRMAN: I think, certainly, the suggestion of the exchange of staff manuals would be extremely helpful. Probably some members would feel a little bit reticent to send their staff manual out, because they feel that there are certain defects in there that might be discovered by the other person. But I think that we should think of each other as comrades in the profession and that it would be helpful to receive friendly advice as well as being able to impart suggestions to the others. I hope that your committee will continue along that line. I am sure that we can gain a great deal from it, and from the larger project of the exchange of librarians. That thought has occurred to me several times, particularly within the last year, when we were struggling with the problem of finding librarians for different locations; that there is a field there and the Association may well act as an intermediary in the negotiation of those things. Some schools might feel that they would like to arrange in co-operation with the association, to have an exchange, and if the institutions interested would write to the Association, then when two or four or more of those requests come in, they could be placed in contact with one another. At the present there is no way except to write throughout the country to find some other institution that would like to make that

temporary exchange. There are situations that develop sometimes when some librarian would find it beneficial for health reasons or otherwise to be away from his usual post for a year.

Would you move the adoption of your report, Miss Holt?

MISS HOLT: I move that the Association adopt the report of the committee.

THE CHAIRMAN: Is there a second?

MR. MORELAND: I will second it.

THE CHAIRMAN: Mr. Moreland seconds it. Is there any further discussion on this?

MISS MARGARET HALL: With respect to that report, instead of exchanging librarians, I don't see why a sabbatical leave would be necessary; even a couple of months somewhere else would be helpful, and there wouldn't be any loss to the library fund, because you go on your own salary and wherever you go you just give them the time and then someone else would come and take your place. So the financial angle could be met that way, and particularly in places where the summer is not too busy, it seems as though that could be arranged. That is something we really should consider quite seriously.

THE CHAIRMAN: Is there any further discussion?

(No response.)

THE CHAIRMAN: All those in favor of adopting the report say aye.

(The motion having been put to a vote, was carried unanimously.)

THE CHAIRMAN: The report is adopted.

THE CHAIRMAN: About six months ago, Director Milton Lord, of the Boston Public Library, startled the library profession with a proposal, entirely of his own making, as I understand it, to do something about reorganizing the American Library Association, so that it would become a truly representative organization of the libraries of the country, representing the many special groups as well as the general body, which now composes the American Library Association. He sent out a rather extensive draft of his proposal to the heads of the various library groups; asked for their comments; made it clear that this was entirely on his own and had no official approval of the American Library Association.

However, the idea has met with considerable discussion and interest in the American Library Association and other circles. We invited Director Lord to be with us at our meeting to explain his proposal in detail and in person. Unfortunately, two or three weeks ago, he advised me that conditions had arisen which made it impossible for him to be here, and Mr. Hill, who was present at a meeting of the Council of National Library Associations where this proposal was discussed, has kindly consented to tell us something about this proposal, in which our Association would be very vitally interested. Mr. Hill.

MR. SIDNEY B. HILL: I am glad to see Bud Moreland was able to second a motion awhile ago. All the time I had been sitting up there, he had been sound asleep, up to that moment.

MR. MORELAND: I have my watch out and I am timing you.

MR. HILL: We have had rather a wet time here since you have arrived in New York, but I assure you that

for the next little while you are going to have a dry spell. I know how much we all like to listen to bread and butter subjects of law books and libraries' co-operation, or library administration, but every once in a while we have to come to it and listen to it.

By the way, there is at least one great law library in the Metropolitan Area. The choice is yours: — The Law Institute; The County Lawyers; Fordham; N. Y. U.; St. John's; Columbia; and the Association of the Bar of the City of New York. I am sure that you are welcome to visit all of them, and you are particularly welcome should you care to come up to The Association of the Bar of the City of New York. It is rather dusty and dirty, dustier and dirtier than it has been in many years, and it is a pretty old institution, because we have been remodeling the place, but I am sure that the staff would have some things of interest to show you, and I am also sure that if we can get you up there you would have something of interest to tell us that would help us in our problems at the Association.

It is with regret that Mr. Milton Lord, President Elect of the American Library Association is unable to be present today to present to you his proposal for reconstituting the American Library Association into a true federation of all the national library groups of the United States.

Mr. Lord's proposal is offered as a contribution to the work of the American Library Association Fourth Activities Committee and is made available to the officers of the various national library associations, library groups and individuals interested in library cooperation on a national level.

Mr. Lord presented his proposal to the Council of National Library Associations at the meeting of the Council on April 23rd. At this meeting of the CNLA, Mr. Ralph Shaw, Chairman of the American Library Association Fourth Activities Committee was also present and outlined some of the tentative proposals of his Committee for reorganization of the American Library Association. After hearing from Messrs. Lord and Shaw, the Council passed a resolution which in effect suggested that Mr. Lord's proposal and the proposal of the Fourth Activities Committee, when submitted in draft form, be studied by the national associations, groups and individuals interested in national library co-operation, and that their views concerning any proposal for federation be presented to the Council. I shall now present Mr. Lord's proposal which you will find in the June issue of the Library Journal, Volume 73, Page 845.

The following proposal is offered as a contribution to the work of the A. L. A. Fourth Activities Committee. It is being made available also to others who may be interested in the suggestions which it offers for the reorganization of the American Library Association.

It is based to a large extent upon the experience gained by the writer while serving as the A. L. A. Representative upon the Council of National Library Associations on a continuing basis from its inception in 1941 up to the present. He drafted its constitution. He also served as its first Secretary-Treasurer, and later as its Chairman. From his six years of experience with the attempts of the

Council to find itself, he has come to a persisting belief that, though the Council may not have been possessed of great strength as it has had to be constituted under existing circumstances, it nevertheless has contained the germ of potential strength in that it has provided a framework, imperfect though that has been, for bringing the various national library groups of the country together around a common board. The experience of the past six years has also confirmed him in a persisting belief that only in an American library association as distinguished from the existing American Library Association can there be found the needed strength in unity.

The Council of National Library Associations cannot apparently get very far itself as long as it is overshadowed by a colossus such as the present American Library Association. The A. L. A. as presently constituted cannot itself—nor would it be permitted to—take over the Council of National Library Associations. Why should it not then take the initiative to reconstitute itself in such fashion that it would become an American library association on a basis to which all (or almost all) of the national library groups of the country could rally? To a certain extent the A. L. A. is already in effect a federation of several national library associations, including such diverse groups as the Association of College and Reference Libraries, the Public Libraries Division, the Library Extension Division, the Hospital Libraries Division, the Division of Libraries for Children and Young People, etc., etc. Why not go all the way by offering to make possible its becoming a true federation of all of the national library groups of the United States?

From the point of view of the A. L. A. itself the time is particularly ripe for considering such a possibility seriously. The A. L. A. has been experiencing financial pains in increasingly acute fashion, and will apparently continue to do so just as long as it tries to carry the burden of its present more or less all-inclusive program of activities. Why not divest itself of much of this burden of all-inclusiveness in its own right, and instead let others who may be as well, or perhaps even better, qualified take it over piece by piece on a decentralized basis? An American Library Association newly constituted as a genuine federation, with a relatively limited and general program of its own, would then find the solution to its financial problem pretty much dictated, simply because it would be having to live from that point on within limited means and would perforce have to cut its cloth accordingly.

The time is also ripe for action in that by another two years there will occur a change in the direction of the affairs of the A. L. A. A new executive officer will have to be found when the present Executive Secretary retires in 1950. A change in the structure of the A. L. A. can perhaps never be made as easily again.

Mr. Lord believes that he has no choice other than to take a direct interest in the making of changes in the A. L. A. structure. As its President for 1949-50 he will have much of the responsibility for the action which will have to be taken at that time and upon which will rest to so large a degree the future of the Asso-

ciation for perhaps a generation to come.

The General Provisions Underlying the A. L. A. as a Federation

1. Under this proposal the A. L. A. would become a federation of the individual national library associations which are based on either a *functional* interest (e. g., Special Libraries Association, Association of College and Reference Libraries, A. L. A. Public Libraries Division, etc.) or a *subject* interest (e. g., Medical Library Association, Music Library Association, American Association of Law Libraries, etc.).

2. The A. L. A. would have a membership structure which would be at once *geographical* (ranging from a *local* to a *state* to a *national* membership, and comprising all three) and *functional* (including also membership in a specific national library association which is based on a functional or subject interest as indicated above).

3. The official policy body for the A. L. A. as a federation would be a *Council* to be made up of (1) representatives from each of the state associations, (2) representatives from each of the member associations of the federation, and (3) the five elected officers of the A. L. A. as a federation and the other members of its Executive Board.

4. The general direction of the activities of the A. L. A. as a federation would be vested in an *Executive Board* to be constituted of the five elected *Officers* of the federation together with one representative of each member association of the federation. The Executive Board would appoint a general *Executive Officer* for the federation, who would in turn be empowered by the Board to appoint for specified terms such assistants as might be necessary from time to time.

The A. L. A. would in its own right undertake no functions other than the following:

(1) administration of the membership process—including the issuance of a house organ for all A. L. A. members;

(2) public relations—for library interests in general;

(3) national relations—joint representation of U. S. library interests on a national basis;

(4) international relations—joint representation of U. S. library interests in the international field. The administration of these four primary functions of the federation would be vested in the Executive Officer of the federation and his assistants, who would be aided in administrative policy by appropriate boards to be appointed for each of the four functions by the Executive Board on nomination of the President of the federation.

5. All other activities would be in the hands, and at the expense, of the individual member associations of the federation, with all committee activity to be in the hands of Joint Committees which would be initiated and carried on when any two or more individual member associations should elect to do so.

6. The effect of the above would be (1) to leave in the hands of the A. L. A. as such simply the general representation of the library interests of the United States in so far as this must be done on a national basis, and (2) to place responsibility for the administration and the financing of all specific functional or subject interests of libraries and library groups in the United States back into the hands of the several national library associations which are based on functional or

subject interests, acting either individually or jointly. Whenever the latter desire to carry on specific functional or subject activities, whether at A. L. A. Headquarters or elsewhere, it would be their responsibility to set these up and to provide for their financing. If desired for purposes of general coördination, the Executive Officer of the Federation would be available to them for the general direction of the administration of those activities, although the specific administration of them would always be the responsibility of the staff which had been set up for them, and financed, by the associations actually engaged in participating individually or jointly in them.

Examples of A. L. A. activities under this delimitation of fields would be:

(1) public relations—e. g., the initiation of the Library Public Relations Plan, as arranged on a national basis by the Mitchell McKeown organization, for participation by individual libraries throughout the country, etc.;

(2) national relations—e. g., the support by the A. L. A. National Relations Office in Washington of the Library Demonstration Bill before Congress, etc.;

(3) international relations—e. g., the support by the A. L. A. International Relations Office in Washington of the State Department's overseas information and library program in terms of the Mundt Bill before Congress, its support of an International Exchange of Persons program before the foundations of the country, etc.

Examples of non-A. L. A. activities would be:

(1) The sponsorship, financing, and administration of the American Book Center for War Devastated Libraries, Inc., as a joint undertaking by 12 national library associations, after initial sponsorship by a Joint Committee on Books for Devastated Libraries;

(2) the pending proposal for a Conference on Library Education (along the lines of the Princeton Congress on Exchanges in 1946), as proposed for sponsorship by interested member associations of the Council of National Library Associations.

7. From the financial point of view the A. L. A. with its present relatively fixed income would be relieved of pressure from all directions for funds for an ever-increasing array of activities or projects. It would instead be enabled to confine its financing to the task of national representation which belongs properly to it, namely, the representation of the library interests of the United States in the fields of national relations, international relations, and public relations in general.

Its income from membership dues at a nominal rate (e. g., $5.00 or so annually per member), plus the income from its existing endowment and its own ownership of its headquarters building in Chicago, would be more likely to suffice for a limited program on a considered basis such as the above than has been true for the program which up to now the A. L. A. has been attempting to carry on with a financial support which has been becoming steadily increasingly inadequate.

If as a federation of the several national library associations of the country the A. L. A. should at any time decide that it needed additional funds, the responsibility for obtaining these would then go back to the interested individual member associations rather than be left to the large general all-inclusive body which the A. L. A. has had to be up to now. This would place financial responsibility right where it belongs. At the same time it would tend to put a premium upon having the individual member associ-

ations see to it that there be brought about an increase in the number of their own individual members who were also A. L. A. members on the new basis, since this would be also a direct way of finding increased funds for general A. L. A. activities.

Thus responsibility for the financing of all libraray activities in association (i. e., those other than in the fields of national relations, international relations, and public relations in general) would rest with those library groups which have a direct interest in them. Such activities would and could be undertaken only to such extent as these groups would be able to provide or obtain financing for them. Since the responsibility for these activities would thus be placed where it belongs, this would help to avoid the tendency to undue centralization, both financially and administratively, of which the A. L. A. as presently constituted has become the victim to an increasing extent. The end result would be that activities would come into being in the original instance at the proper level for them, and they would persist only to such extent as actual demand called for them and financial support permitted them.

8. A careful study would have to be undertaken to ascertain just what the actual yield of the income structure under the proposed arrangements would be likely to be at all points and at all levels. This has obviously not been possible in the present presentation.

It is to be expected that at the beginning the newly constituted A. L. A. might not perhaps have as large a number of members as heretofore. The comprehensive membership fee at $5.00 (see below) might tend to scare off a certain number of individuals already members and even frighten a certain number of potential members simply because of the size of its amount. Even so, the A. L. A. might find itself, with a limited general program, in a somewhat stronger financial position than it has been heretofore, when it has had to meet the expense of a more or less all-inclusive program from a relatively fixed income.

9. These provisions for setting up a new American Library Association as a federation of national library associations would not seem to require the giving up of much of anything on the part of any of the several national library associations except the present A. L. A. They would still continue as independent associations as in the past, and function quite independently in their own rights. In addition they would gain the strength to be had from federating for the joint formulation of national library policy and for national representation in the fields of national relations, international relations, and public relations for libraries in general.

All of the giving up, particularly of numerous present program activities, would be on the part of the American Library Association as presently constituted. But it could afford to do so, for in giving it would be gaining. It would gather to itself new life and added prestige in the national scene precisely because in its new form as a federation it would be providing as never before a framework for unified action on the part of all of the librar-

ies and all of the library groups of the entire country.

The Basis of Federation

The A. L. A. would become a federation of the individual national library associations based on either a functional interest or a subject interest as follows:

(1) Library groups based on a functional interest
Association of College and Reference Libraries
A. L. A. Division of Cataloging and Classification
A. L. A. Division of Libraries for Children and Young People.
A. L. A. Hospital Libraries Division
A. L. A. Library Education Division
A. L. A. Library Extension Division
A. L. A. Public Libraries Division
A. L. A. Trustees Division
Catholic Library Association
Special Libraries Association
Junior Members Round Table
Library Unions Round Table
Staff Organizations Round Table
Serials Round Table
Association of American Library Schools
Association of Research Libraries
National Association of State Libraries
(2) Library groups based on a subject interest
American Association of Law Libraries
Medical Library Association
Music Library Association
Theatre Library Association
Art Reference Round Table
Religious Books Round Table

Other groups which might come into being in such fields as Literature, Language, History, Social Sciences, Business, Natural Sciences, Engineering, Technology, etc. etc.

The Government of the A. L. A. as a Federation

Officers (term—4 years; to be elected at large by the Council)

President
First Vice President (President-Elect)
Second Vice President
Treasurer
Past President

Executive Board (term for all except elected officers—8 years)

The five elected officers*

One representative from each member association of the federation**

Council (term—4 years)

The five elected officers*

The other members of the Executive Board**

One representative from each of the member associations of the federations**

Representatives on a geographical basis (by state associations—1 representative for each 500 A. L. A. members, with at least one representative from each state) ***

A. L. A. Boards

(Membership, Public Relations, National Relations, International Relations)

Five members for each board, appointed at large for 5-year staggered terms by the Executive Board on nominations of the President of the federation*

Committees

The A. L. A. would have no independent committees of its own.

All committee activity would be Joint Committee activity of such member associations as might be interested.**

*Expense of attendance at meetings to be borne by the A. L. A.

**Expense of attendance at meetings to be borne by the individual member associations.

***Expense of attendance at meet-

ings to be borne by the state associations.

Frequency of Meetings

Local or area chapters—monthly, bi-monthly, or quarterly

State associations—annually

Regional associations—bi-annually

National association—quadrennially as an association, but its Executive Board—3 times per year (Sept., Jan., and May) and its Council—2 times per year (Jan. & June)

Functional groups—annually on a national basis as heretofore—individually or jointly

Subject groups—annually on a national basis as heretofore—individually or jointly—or, if desired, with the general subject groups in their fields such as the Modern Language Association, American Association for the Advancement of Science, American Bar Association, American Medical Association, etc. etc.

The regional associations could meet, more or less as heretofore, on a regional basis. The New England Library Association, for example, has done this very successfully. It is in effect a federation of the state library associations of Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, and Connecticut for the purpose of holding regional meetings. It has no dues, and supports its activities handsomely by a registration fee collected on the occasion of the regional meetings.

Operation of A. L. A. Headquarters Operating Staff

Executive Officer (plus an Assistant Executive Officer as needed)—to be appointed by the Executive Board (with or without specific term, as desired)

Executive Officer's Staff

—to be appointed by the Executive Officer for a specific term to be set by the Executive Board

Headquarters Activities

The function of A. L. A. Headquarters would be to carry on A. L. A. activities as approved by the Executive Board in terms of the following structure:

(1) Executive Office—with the Assistant Executive Officer and assistants.
(2) Membership Activities Office—with a Director and assistants.
(3) Public Relations Office—with a Director and assistants.
(4) National Relations Office—with a Director and assistants.
(5) International Relations Office—with a Director and assistants.

Allied Activities

At A. L. A. Headquarters, or elsewhere, there could be set up, under the general coördination and direction of the Executive Officer if desired, such specific activities as individual member associations might wish to undertake individually or jointly, although the specific administration of these would be the responsibility of the member associations sponsoring and financing them, as, for example:

Placement Service—under a Chief
Publishing Office—under a Chief
Headquarters Library—under a Headquarters Librarian

The A. L. A. would limit its contribution merely to the coördination of such activities and the provision of working space in so far as possible.

Basis of Comprehensive A. L. A. Membership and Dues

Local or area chapters	$ 2.00
State Associations	3.00
National Associations	10.00
Divided between	
(1) general national membership	5.00
(2) membership in a national library association on a functional or subject basis	5.00
	$15.00

An A. L. A. comprehensive membership on the above basis would provide membership in four different directions. In Massachusetts, for example, it would provide under existing conditions the following:

(1) a local membership in an existing area group such as the Bay Path Library Club, the Charles River Library Club, the Merrimack Valley Library Club, the Western Massachusetts Library Club, etc., or in a Boston, Worcester, or Springfield local chapter—with an allotment to the local or area group in the sum of $2.00 per each comprehensive A. L. A. membership. (This is in general as good as or better than the present dues structure for these groups.)

(2) a state membership in the Massachusetts Library Association—with an allotment to the state association in the sum of $3.00 per each comprehensive A. L. A. membership. (This is equivalent to the maximum amount of dues for individual members under the present dues structure of the Massachusetts Library Association.)

(3) a national membership in the American Library Association—with an allotment to the A. L. A. in the sum of $5.00 per each comprehensive A. L. A. membership. (This is not so far different from the present average dues for individual members under the present dues structure of the A. L. A. that it should reduce the total of A. L. A. members very markedly.)

(4) a national membership in a national library association on a functional or subject basis to be chosen by the individual member, such as the Special Libraries Association, the Association of College and Reference Libraries, the Public Libraries Association, etc., etc.—with an allotment to the selected national association in the sum of $5.00 per each comprehensive A. L. A. membership. (This should bring increased support from dues to many of the national library associations, and in almost no instance a decrease in income from dues.)

Many individual librarians are already expending for dues to library organizations a total sum approaching as much as the $15.00 which the proposed comprehensive A. L. A. membership would cost, or if not might be willing to entertain the possibility of doing so in the realization that this new comprehensive membership would permit a local, a state, a national, and a functional or subject affiliation at one and the same time on an integrated basis.

Individual memberships could, of course, still be taken in any single library group at any level whatever (local, state, national, functional or subject) by direct application to the group itself just as in the past.

It would be expected that each group would stress to its individual members the importance of taking membership on the comprehensive basis at all four points—local, state, national, functional or subject. The cost of doing so for the professional library groups at $15.00 per year would not be an unreasonable one in comparison with the standard labor union membership cost at $12.00 or so per year. Professional groups of librarians ought to be able to do no less well in this respect than labor union groups do.

On the other hand, if it should be felt that a comprehensive membership fee of $15.00 is too high, possibly a compromise arrangement might be made at $12.00 as follows:

	On $12:00 basis	On $15.00 basis
Local or area chapters	$1.00	$ 2.00
State associations	3.00	3.00
National associations	8.00	10.00
Divided between		
(1) general national membership	4.00	5.00
(2) membership in a national library association on a functional or subject basis	4.00	5.00

This, in total, is the proposal of Mr. Lord for reconstituting the American Library Association as a true federation of all national library groups of the United States.

The question of interest at this meeting is how this proposal will affect the American Association of Law Libraries and its members, should the American Association of Law Libraries participate in such a federation.

First, the American Association of Law Libraries would delegate to the American Library Association the following four functions:

1) Administration of the membership process—including the issuance of the house organ for all American Library Association members.

2) Public Relation.

3) National relations—joint representation of United States library interests on a national basis.

4) International relations—joint representation of United States library interests in the international field.

Second, all other activities would be carried on by the American Association of Law Libraries.

Third, the dues as proposed would be $15.00,—$5.00 to the American Library Association; $5.00 to the American Association of Law Libraries; $3.00 to the State Association and $2.00 to the local or area chapter.

THE CHAIRMAN: Thank you very much, Mr. Hill. Thank you for that clear explanation of the Lord proposal. I do think that there may be some discussion in this matter that you may have at this time, if there is anyone that has any questions, perhaps Mr. Hill may be able to throw some light on them.

Do we have any comment on this proposal?

MR. MORELAND: Why couldn't the Council of National Library Associations perform the same function as it is proposed? Why couldn't it? I know that it is limited in its power now.

MR. HILL: Because it hasn't the money to "wag a big tail." The A. L. A. is a colossal organization. It has trust funds; it has property. The Council of the National Library Association just has representatives with dues of—what is it, $10 a year? That is all the money they have; and what you want to do, if you are going to have unity in the library profession or among the library associations, you have to draw them altogether. This, undoubtedly, has to be a matter of compromise and co-operation.

Now, hitherto, we have all been tearing into the American Library Association for not coöperating, for not getting down to the grass roots and saying, "Here, we ought to get together; we are all part of you." Before we were just a morsel—we are at the present—which they would like to swallow up. But this proposal, coming from the president-elect of The American Library Association, in which he is talking about not just reorganizing the American Library Association, but reconstituting the

American Library Association into the Federation—and there would be opposition from the Fourth Activities Committee, and there has been strong opposition from the Fourth Activities Committee, as well as the second, first, second and third, over the years.

This is a problem which we must all face, with conditions as they are, with organizations as they are, to join them together in a federation.

The National Council is limited under the constitution only in coöperative movements and has no money. It doesn't even have the money to carry on a secretariat. But we have the colossus of the A. L. A., with office—and he isn't the only one that is interested among the officers of the A. L. A., the immediate past president, Mr. Rice, is greatly interested. The Executive Board is greatly interested. Although Dr. Lord is going further than the Fourth Activities Committee, it is felt that this proposal is a proposal coming from A. L. A. sources, which says, "Let's make the effort to get together in an organization where you will not lose your functional relation whatsoever. You will control everything within your subject field or your functional field whichever it may be. You control all activity except those four categories on a national level, and you have representation, no matter what it is, of the whole library profession behind you."

MR. MORELAND: It seems to me—I read that proposal and I wasn't quite clear whether you could be a member of this association only or whether you would have to be a member of A. L. A. In other words, could you be a member of this association for $5?

THE CHAIRMAN: Mr. Drummond just took that point up the other day.

MR. DRUMMOND: I think that is true. All members of the A. A. L. L. wouldn't necessarily be members of the A. L. A.

MR. MORELAND: We could still get by for $5.

MR. DRUMMOND: That's right. Just now we have a chapter of our Association which is not a member of the National Association. They have their own dollar members. Incidentally, this plan as Mr. Hill indicated, is in a very preparatory state. I think the Fourth Activities Committee has another proposal. I don't think we really have to worry too much about it for awhile, although it is of interest to us.

THE CHAIRMAN: Mr. Drummond is quite correct. There is nothing we need to do at this time except to inform ourselves of what is taking place.

MR. DRUMMOND: Possibly there are some suggestions that we may find that we wish to contribute, but it is an interesting movement that we will watch with interest. It will have to be adopted after all by the American Library Association before anything can be done by us. But it is well to keep this process in mind and to watch its interesting features.

MR. HILL: Mr. President, that might be done in various ways. That might not be adopted or emanate from the American Library Association. It might be that we would have a committee to study all proposals or any proposals that might be presented, besides this proposal of the Fourth Activities Committee. I know that the

Council would like to have a committee to study this proposal and all proposals and submit their findings to the Council. I think it might even be the hope that the call for reconstituting the library profession into a federation might come from the various library associations, through their executive officers, or through a committee appointed, rather than coming from any one association. I think it is hoped that out of these studies there will come a demand that the representatives or the officers of the various associations get together to study all proposals and see if we can't find some common solution to the proposal on federation.

Miss Helen Newman: Mr. President, I want to speak in part to Mr. Moreland's question concerning membership in the A. L. A. The American Association of Law Libraries for some years has been affiliated or has been an affiliate of the A. L. A., and the treasurer of the association has always paid ten cents per capita to the A. L. A. for each member of the Association of Law Libraries, which is not itself a member of the A. L. A. I thought that might clarify a point.

The Chairman: Thank you, Miss Newman.

A Voice: Mr. Chairman, may I ask you if you know what action was taken on this at the meeting of the Special Libraries in Washington? Did they come to a formal conclusion? I know that Special Libraries has been working on it for the last six months and we worked very hard on it in the Minnesota Chapter and we were very much in favor of it. I don't know of any action that was taken.

Mr. Ellinger: To my knowledge, the S. L. A. has turned down this proposal and has declared itself in favor of strengthening the Council of American Libraries Association instead. If I may continue on this point, I believe that is really what ought to fulfill the functions of what Mr. Lord is aiming at just as well, a better reconstitution of the American Libraries Association rather than a new organization, would be the same as the present council, with only a different name; and the construction of a large membership association, an association as Mr. Lord proposed, would not be a membership association at all. It would be an association of organizations, with the membership having to pay $5 dues without having any direct representation. That representation would be revoked, and I doubt whether there would be enough members of the other organizations who would be willing to pay additional dues sufficient to support that new outfit.

Apart from that, I think there is a definite need for a strong membership organization of libraries, of librarians-at-large, which can represent the interest and views of the libraries to the world outside, regardless of special library associations which comprise groups of librarians interested in special fields.

It should not be forgotten that the A. L. A., in its present setup, is the administrator of large endowment funds from the Carnegie Corporation, which were given to it as the organization now is and the type of organization it constitutes, and it appears most doubtful how these funds should be disposed of or redistributed if Mr.

Lord's proposal would be adopted in its present form.

I believe, as I said before, that the proposal which was made by the Special Libraries Association, that the Council should be strengthened and reconstituted, is a more sound proposal which does not need the distraction of an organization, which has not in general been considered as useless or redundant.

Thank you.

CHAIRMAN: Thank you, Mr. Ellinger.

MR. HILL: I might say that Mr. Lord hasn't asked for any action on this proposal. As stated, this was offered as a contribution to the work of the Fourth Activities Committee. It is offered as a contribution to bring out discussion such as we are having today, discussion that may bring forth improvement in a plan of federation.

Now, we have two fairly large organizations, The American Libraries Association and the Special Libraries Association, and I was a little surprised that the Special Libraries Assocition took any action upon this proposal at the present time. This report was only proposed at the present time for study, and the Council has only requested that not only this proposal but others be studied and the committee bring back a report as to the feelings of any associations or any individual associations, with respect to what should be done about a federation of all these library associations.

THE CHAIRMAN: Mr. Hill, would you say that we should have a special committee to study these proposals?

MR. HILL: We had a committee. Where is Mr. McDermott? Where is his committee, Library Coöperation? I don't know whether that would be the proper committee or whether we might desire a new committee. I do think that it might be advisable to have a special committee, because we are going to get several proposals, not only the proposal of the Fourth Activities Committee and this, but there are going to be counter proposals by the Special Libraries Association, maybe the Catholic Libraries Association, and there probably will be considerable work and considerable study will have to be made before any action can be taken upon any proposal.

THE CHAIRMAN: Does anyone care to make a motion that the Association establish a special committee to study the proposals of the National Library Association?

MR. PRICE: I would like to hear Mr. McDermott's report before any such motion is discussed, because I think it would have some influence.

THE CHAIRMAN: Fine. I think that is a good suggestion. Are you ready to make your report Mr. McDermott?

MR. MCDERMOTT: I have no formal report to make, Mr. President, although the committee has done some studying and research in connection with the Lord proposal and in connection with the other proposals as advanced by the Fourth Activities Committee of the A. L. A.

It had been my intention to recommend that the Committee on coöperation with the A. L. A. be continued for the purpose of studying the Lord proposal and any other proposal that might be formulated in the future; and in that connection I would sug-

gest that instead of devising an entirely new committee, that you expand the membership of the present committee.

THE CHAIRMAN: Mr. McDermott's suggestion is certainly well taken. This Association has a great many committees and we would rather reduce than increase them at this point. I believe that falls sufficiently within the scope of the work of our Committee on Coöperation with the American Library Association, to be made a part of its study.

MR. BITNER: I would like to make a motion that this present committee be delegated the powers of studying all these proposals and that it be expanded to take in a good many members who have probably served in the past and have studied this problem for a long time.

I would just as soon move that this committee continue this work, but with a little larger membership, because it will entail a great deal of work.

THE CHAIRMAN: It has been moved by Mr. Bitner. Do I hear a second?

MR. HILL: I second it.

THE CHAIRMAN: It has been moved and seconded that this committee be continued and expanded to carry on this study. Is there any further discussion?

(No response.)

THE CHAIRMAN: If not, will all those in favor of continuing the committee say aye.

(The motion having been put to a vote, was unanimously carried.)

THE CHAIRMAN: The committee will be continued.

As I mentioned yesterday, we are extremely fortunate to have present with us at this convention a number of able speakers from three general fields, the law-school field, the general library field and the judiciary. Today we have the privilege of hearing an address by one of the renowned law-school men of this part of the country, who is going to speak to us on that intriguing subject of "Bringing Life to the Law Library."

Now, we have all thought that we had life there, but to some, the aspect of a law library appears a little dull without some side reading and things of that kind.

I well recall that I occasionally had members of the Bar come from far corners of our state to the State Law Library, in Santa Fe, to obtain literature of the law for reading. There are times when a member of the Bar feels that he needs something of that kind, which is not directly related with his bread-and-butter use of the law books.

Professor Simpson is especially qualified to speak to us on that subject. He was formerly Professor of Law at Harvard University. He is now Chairman of the Committee on continuing education of the Bar, for the American Bar Association. He is also a member of the Editorial Board of *The Modern Law Review*, published in London. You may perhaps remember him as co-editor of "Cases on Equity" with Jaffe, and cases of "Judicial Remedy" with Scott.

He has written many articles in legal periodicals and during the war he was an aide to Secretary of War Patterson, and later served as a Lieutenant Colonel in the United States Army. Professor Simpson (applause).

PROFESSOR SIDNEY POST SIMPSON:

Some years ago an American lawyer was visiting the great Bodleian Library in England. As he was shown through the ancient corridors, he commented on what a treasure the collection was to scholars of the law. The librarian guiding him agreed, but expressed great concern over the future of the collection. The lawyer remarked that surely it should be possible to keep it up, even in difficult times. The librarian replied: "It is not that which worries me. It is what this library will be like a hundred years from now. It would be well enough if we could keep the books on the shelves all the time. But most unfortunately, you see, people are permitted to *use* these books."

There are times when I have thought that the orthodox librarian's idea of Heaven must be a great collection of books, all classified and numbered in the most approved decimal system, and every book always remaining in its place on the shelves. Of course, I am not speaking of law librarians, but of that other species who are, or at least tend to regard themselves as, curators of book museums. I have known book collectors like that, who would think it sacrilege to read one of their own first editions. While book misers, I suppose, have their place, or at least in charity I shall assume it; but their place is not in a law library. A law library, as you all know better even than I, is a specialized kind of tool chest and workshop for the lawyer and student of the law. It is useful only in so far as it is used, and the more it is used the more it is useful.

But use is only one criterion of usefulness. In the language of the logicians, it is a necessary but not a sufficient condition. There must also be enough books to use. At its simplest, this means duplicate copies. I am aware that "duplicate" has a sinister meaning in some library circles. It means an additional volume hard to get authorized, subject to being taken away, and generally a stepchild. Indeed, I have often thought that librarians are a lot like chorus girls—and not merely in appearance. You remember the story of the chorus girl who was offered a book as a gift, and who declined, saying, "I've already got a book." I wonder how many times a request for the acquisition of an additional library copy of Gray's *Nature and Sources of the Law* or for an additional set of the *Michigan Law Review* (you see I am playing no favorites) has been met with a substantially similar reply. A live law library must have lots of duplicate books, duplicate reports and duplicate sets; it seems to me one of the services your Association might render law schools is to set up standards of how many duplicates there should be for each one hundred law students. I commend that to your attention as an appropriate job for your association.

The more serious problem, however, is not with respect to duplicates but with respect to variety. I venture to suggest that not one law library in this country, or indeed in the world —I hope I'm wrong—has an adequately broad working collection of books for everyday student and faculty use. You see, most law libraries are made up almost entirely of law books—and this is wrong.

That law books are necessary to a

law library I am prepared to admit. I wish very much that less of them were necessary. As the reports and statutes multiply, I sometimes have the feeling, as I know you must have, of the man who read that one oyster could produce a million young a year, and then had nightmares of the world becoming in a few decades a vast mass of oysters and nothing but oysters—even without the help of the West Publishing Company. (Laughter). But while, for the present at least, we must have the reports and statutes, they are not enough. They are the forms of the law, but they are not its ultimate sources. A living law library must make possible ready access to the sources from which the law draws its life.

From the days of Hammurabi to the present, the ultimate sources of the law have been not in codes, dooms and precedents, but in the social and economic needs of the time and place. Law is a social product, and its draws its vital force from outside itself. The lawyer who knows only the law does not know the law. He knows neither how it came to be, nor truly what it is, nor what it will become, nor what it ought to be. Too much, and for far too long, we in the law schools have been training barren legal exegists, not social and legal engineers. And our law school libraries have been *participes criminis.*

Let us look at a few popular fields of the law, and see what the greatest guides to understanding are. Take Corporations. There is more living law and more sense in Berle and Means' *The Modern Corporation and Private Property* than in all of Fletcher's *Cyclopedia of Corporations.* Take Torts. There is more to be learned from the *Columbia Report on Automobile Accident Compensation*—I wonder if you all know it—than from any textbook. Take Criminal Law. Of what profit is it to pore over the pages of Bishop or memorize the technicalities of a Penal Code, and remain ignorant of the classic and pioneer study of Sheldon and Eleanor Glueck? Taxation today is largely accounting; Labor Law lives much more in the daily newspapers than in court decisions or even in the Taft-Hartley Act. And where shall we go for our Constitutional Law today?—surely not to the United States Reports alone.

If I were asked to name the three books of the present century that I feel it most important for a law student to know, I would say that they were the Lynds' *Middletown,* Gunnar Myrdal's *An American Dilemma,* and Kinsey's *Sexual Behavior in the Human Male.* This may surprise you. Perhaps some of you may have thought of Wigmore's *Evidence,* Williston's *Contracts,* Scott's *Trusts*—all important books, to be sure. Of some of you may have thought of Holmes' *Common Law or his Collected Legal Papers,* or Cardozo's *Nature of the Judicial Process,* or Pound's *Interpretations of Legal History* or *Spirit of the Common Law*—which are even more important books. And yet I believe I can show you that Lynd and Myrdal and Kinsey are more important than any of these.

What does a lawyer most need to know? Not law—he can look that up. He needs understanding and he needs method. All three of the great books

I have mentioned—and I use the word "great" advisedly—are pioneer contributions to method in the finding out of social fact and to understanding of the world we live in. In *Middletown* the Lynds have applied the method of social anthropology to a contemporary American town; the law student who understands this book will understand the socio-economic complex that is today the political heart of America. In *An America Dilemma,* Myrdal has applied the method of scientific sociology to the most dramatic and domestic social problem of our time and place; the law student who understands this book will see the Negro problem in America as a major example of those conflicts between our ideals and our practices which have produced the schizophrenic trends of modern social America, and will have learned that there is a difference between ethical knowledge, social knowledge, acquired prejudice, and ethical value judgments, and will know something of how to tell them apart. In the Kinsey report, one of the basic aspects of human behavior has been subjected to a dispassionate scientific inquiry by methods that every law student ought to understand. A man or a woman who does not know the methods and the results of the Lund, Myrdal and Kinsey studies is a naive man or woman—and a naive lawyer is no lawyer.

Again, what is the most pressing basic task of human law and society today? Is it not to face and solve the problem of how mankind may be motivated toward coöperation and survival rather than continuing its present suicidal drive toward a common destruction? Much of the world is now following a new gospel—the gospel according to Marx. A lawyer who does not understand something about dialectical materialism is ill adapted indeed to comprehend the major social forces of our times. And he is even more ill adapted to act intelligently in resisting the most dangerous of those forces in the present cold struggle between Communist totalitarianism and the democratic tradition if he does not understand something of the basic motivations of human conduct disclosed by the new dynamic psychology which is being built up on the basis of the insights of psychoanalysis. The basic answer to Karl Marx may well have been given by Sigmund Freud—but how many lawyers know it? They should have a chance to learn it—and yet how many law libraries contain *Das Kapital* (in English) or *The Communist Manifesto,* how many the *General Introduction to Psychoanalysis* or *The Ego and the Id* or *Totem and Taboo*?

On a less fundamental level, what about history and political science and the social sciences? I wonder if every law library represented here has a set of the Encyclopedia of the Social Sciences? It has its faults; but each volume is worth a set of *Corpus Juris Secundum* with the original *Corpus Juris* and *American Jurisprudence* thrown in. How many of you have Dicey's *Lectures on the Relation between Law and Public Opinion in England in the Nineteenth Century,* or the Beveridge report on *Full Employment in a Free Society,* or Kardiner's *Psychological Frontiers of Society,* or Lewis Mumford's *The Cul-*

ture of Cities? How many of you have the Smythe report on atomic energy and the *Bulletin of the Aatomic Scientists?* And if not, why not?

You may say that these are not law books. So they are not; and yet they belong in any library of living law. You may say that a law library cannot include everything. So it cannot; and yet it can include a working collection of the materials needed to an understanding of the law. You who are law school librarians may say that these books will be found in the general university library. So they will, or some of them; and they might as well be buried in the Bodleian, or in our own great book mausoleum, the Library of Congress. The fact is, and you know it as well as I, that books in general university libraries are not used by law students or by law teachers. If books are to be used, they must be available in the law school. For a book to have a shadow existence in a general catalog and on a subterranean stack in another building miles across the campus is not enough.

It is not merely that law students, and law teachers, are lazy. So they are; and yet I suspect that they are no lazier, essentially, than librarians. It is not merely that the system of classification used in general libraries is a little like the Dewey decimal filing system of the Army—beautiful as a pseudological construct and hopeless for any other purpose. I don't know whether the library classification system is as complete an aid to concealment as the Army and Navy files of correspondence by subject matter—in a recent naval court-martial, I am told, the accused successfully defended himself on a charge of appropriating and concealing important papers by proving that he had filed them— (Laughter) but it is certainly pretty bad. To one who like myself has been accustomed to shelving of legal text books alphabetically by author, the attempts of some librarians to apply a numerical classification system to law books, —well, is just an invitation to wrath. If I were a law school dean (from which fate may a kind Providence preserve me), I would regard any expenditures by my librarian for classificatory decimal shelving of law books as the sort of useless made-work which made the old WPA a laughing-stock—and I would get me a new librarian. But it is not merely that books in the general library are hard to find. Nor is it the fact that they are always out when you want them, and the general library doesn't know where; or that they take time to find, and then can't be kept long; or that they are being rebound, or have been recently stolen, especially if they have contemporary interest like some of those I have suggested. The big point is that a law student or a law teacher should not have to go outside of his own library for the tools he should be using in his daily work. They should be handy to his hand. As to books traditionally classified as law books, this tends to be so in most American law libraries; as to vital books in related subjects, it most generally is not so. What we must have in every law school library is a working collection of books in fields related to the law.

It is a truism that law is one of the social sciences. It is equally clear that integration of the social sciences in-

cluding law is the necessary order of the day. Law study in a university should be a study of the law as part of the *universitas* of knowledge. The notion that the law is a separate, self-sufficient discipline is the death of the law. The Roman jurisconsults drew on Stoic philosophy and comparative law to breathe life into the drying bones of the *ius civils:* the great English chancellors went to ethical sources outside the Yearbooks and the law reports; Lord Mansfield did not learn the custom of merchants from the pages of Coke upon Littleton, nor did John Marshall develop the American doctrine of constitutional law from reported decisions. The growing periods of law have been periods where new ideas have been brought in from outside. If there ever was a need for a new growing period of the law, it is today, when law is our only alternative to the mass suicide of domestic strife and international war. One of the greatest functions a law library can perform is to assist in the growth of the living law—by becoming itself alive. I am not talking about law school libraries alone. Law students may be the lawyers and judges of tomorrow, but the growth of today's law is in the hands of today's bar and today's judiciary. They too need the tools to remake the law, handy to their hand; what I have said is just as applicable to judicial and bar association libraries as it is to the libraries of law schools. The set of tools missing from most law libraries today is this working collection of books and materials related to the law.

Note that I say a working collection. Of course I do not mean that a law library should have everything that is in the general university library, or that a bar library should duplicate the local Carnegie collection. But I do say, first, that all law books in any university or other general library—I would include the Library of Congress—should be in the law library except in so far as duplicates are needed in other working libraries, as in the library of a university business school, for example; and, second, that the law library should contain all essential books in subjects related to the law, from history to sociology and from economics to psychoanalysis, even though, especially if, these books be duplicates of volumes on the general library's shelves. Only thus can a law library become alive and do its job in a living world.

What should be in such a working collection? How large should it be? How much would it cost? How far should the needs of the living law take precedence over the desire of all bibliophile librarians to acquire incunabula?—a difficult question, or at least I as a bibliophile myself would find it so. These are technical questions. They are not for me. They are for you. Surely your Association can through a competent special committee determine minimum working needs in these fields related to the law. Such a determination would be entitled to great weight. As applied to law school libraries, it might well become part of the standards for law school accreditation. When two months hence, I begin a survey of legal education for the State Bar of California, I will wish I had such an expert determination to aid me in

passing judgment on the library standards of seventeen law schools. It seems to me that this is just the sort of thing your Association exists to do, can do well, and must do to perform its proper function. If you do not do it, someone else will do it for you; it is both your duty and your professional advantage to be first on your job.

I have been teaching law, off and on, for seventeen years. I have been practicing law for as long, sometimes at the same time. What I say to you is not the product of cloistered reflection in an ivory tower. It is the result of experience in classroom and courtroom and law office. Too many law libraries today are dead. They are book mausoleums for dead reports, dying textbooks and moribund statutes. They need life—the life that comes from outside the four corners of the law. So do our law schools—and how they need it! Here, then, is a chance for the law libraries to lead the law schools. If a law school library comes to life, the students may follow—and if the students come to life, the faculties will have to. Some of you may feel, like the British sentry in Iolanthe, that the prospect of a lot of law professors coming to life and thinking for themselves "is what no man can face with equanimity" (Laughter)—but nevertheless, it might be worthwhile to try to bring this phenomenon about. Perhaps, for example, it would produce some unaccustomed intellectual activity on the part of an instructor in Criminal Law or Domestic Relations to have to answer some questions based on the Kinsey report—even before the next volume appears. And if the books are in the law library, who knows but what some law teacher might read some of them on his own motion? You ladies and gentlemen of the law libraries have a greater potential power over the future of American legal education than you may have realized.

I hope you will exercise it. I hope you will put in every law library of the country a collection of books which will make it possible for students and faculty to think about living law. I hope you will shelve those books, and promote them, so as to force student body and faculty alike to know they are there. I hope you will rub their noses in these books. Perhaps you can't make a horse drink by leading him to water, but you can make a law student or teacher look mighty foolish if he has the obvious chance to learn about the things that bring life to the law and he doesn't take it. I hope you will do it, and do it now.

How to do it? Let me suggest an idea for your consideration. Advertise! Professional ethics may forbid a neon sign on a law office, or rotogravure ads by a law school—or at least this is the theory as to law schools; but there is nothing to prevent advertising by a law library. Tell your users what you have got. Tell it in a way that will make them run and not walk to read your new books. Some law libraries do not even circulate a monthly list of acquisitions. Do any of you have a properly edited, interesting law library bulletin, which brings users into your reading room in droves? Every law library needs a good house organ for its users—bulletin containing not only titles of new acqui-

sitions, but descriptions of the books, extracts from reviews, from "blurbs" even—anything to tell your clientele what you have and get them to use it. The art museums and the natural history museums do it. Why not you? Can't you quit sitting silently in the woods by the side of your folio and quarto and octavo mousetraps, waiting for the world to beat a path to your door, and instead start with a good loud voice telling potential path-beaters that you are in the mousetrap business, and with nice new mousetraps, too? I think you ladies and gentlemen have been too shy and retiring; in emulating the ladies of the chorus, as I have suggested you have tended to do, you have emulated the wrong qualities. How about some new costumes to show off what you have got? If you can bring your libraries to life and let your users know it, you may not have so much time to figure out Dewey decimal classifications, but you will lead much more exciting lives—even if you will have to read some of your own new books.

Ladies and gentlemen, I congratulate you on the possession of a great opportunity. If you bring life to your law libraries, you may force life on our law schools and on our bench and bar. If you can do that, the public of America will be forever in your debt. (Applause)

THE CHAIRMAN: Thank you a great deal, Professor Simpson, for your very challenging address. I know that some of us will go back home with a little encouragement to spend some of our limited funds on these extra-legal materials that we know are really needed, and we will use your address as a citation of authority to support us.

MISS FARMER: May I draw your attention to at least one library that we do have, which is very active in many of these respects which Mr. Simpson mentioned. I am speaking of the University of Virginia Law Library, which has sponsored for the last three years its Reading Guide. It comes to most of your desks. It started out to bring those books on history, sociology and other materials, which the law student otherwise would hardly have time to read. It is a flourishing periodical, appearing every month, dealing with present-day and contemporary problems, in sociology, and pressing foreign and international questions on history and contemporary affairs, on political science. The Kinsey Report has been reviewed. They are reviewing books on world government and the newer problems and other present-day problems.

I know that leading law teachers have complimented the University of Virginia Law Library on this venture and it has proven successful. It is only to be hoped that others will follow it.

THE CHAIRMAN: Thank you very much. I believe this evening we will have a list of all the delegates that are here. On behalf of those present, I would wish to request that you check the list and place the rest of the members on the mailing list. Could that be done?

MISS FARMER: Surely.

MR. MARKE: Unfortunately, I was unable to hear the entire speech of Professor Simpson. A publicity man here for one of the newspapers was very much interested in Professor

Simpson's statement to the effect that Freud might possibly be the answer to Marx; and he asked me to elucidate upon the subject. I felt quite sure that Professor Simpson could do much better. But before he does so, being in N. Y. U. myself, of course, I don't want to start any family trouble, and also being responsible for a classification system in law, you can see the sort of embarrassment in which I am placed. At least Professor Simpson has his views. He has expressed them to me before and I have attempted to somehow pacify him at least from his wrath, but obviously to no effect yet.

I am afraid Professor Simpson is just doomed to bake in his own stew. I prefer it that way. I know we will never change it. We do have some professors on the faculty who are very much interested in our classification system. They realize that if they refer to two or three code numbers they find everything they want on the shelf in one place, pertaining to the subjects in which they are interested.

Of course, Professor Simpson is an expert. He is definitely a specialist. I recognize that and appreciate it. He knows what he wants and knows where to look for it. If the books were arranged alphabetically, A to Z, that would be wonderful. He knows everything he wants. But think of our poor students who do not know so much about their subjects and they are trying very hard to get everything. The catalog, as you fully realize, just doesn't help them. It is there. It is very nicely set up, but they don't like to go to the catalog. They like to go to the shelf and see just what they want, over there on their shelf. It is a very great aid to them if a classification system is set up which takes care of the treatises on a particular subject and also sets forth the primary source material in the form of reports and administrative theory, which you never find in most libraries, because they are arranged by jurisdiction. Unless you are expert in the field of taxation, you may never know about the Bureau of Internal Revenue report, or bulletins or whatever they may publish. However, we have them all together under the subject of "taxation." They are available to the man who is interested in that particular field. It is for that reason that we try to be sort of happy with our solution, though, of course, we do run into difficulties.

Professor Simpson is not the only gentleman and professor and scholar who is not interested in our system, apparently. Dr. James came down to see me about it and was unhappy about it.

DR. JAMES: I am not unhappy about it. I don't have to work in your library.

MR. MARKE: In any event, we do recognize Professor Simpson as a real scholar. We are mighty proud of him at N. Y. U.

THE CHAIRMAN: Mr. MacDonald, will you give us anything further you may have in connection with your report of the Committee and editorial staff of the LAW LIBRARY JOURNAL?

MR. MACDONALD: I should like to tell you very briefly something about the new printer to the JOURNAL. The printing plant of the University of New Mexico is not large as printing plants go, but it is up to date and

well equipped. The atmosphere of coöperation and friendliness can't be surpassed. From the management down, they are all at our service at all times. The proof is just about the cleanest I have ever seen, and that, of course, is very important to an editor.

In such a climate—and I am not referring to physical climate—I see no reason why the LAW LIBRARY JOURNAL should not enjoy an era of ever-increasing effectiveness.

THE CHAIRMAN: Thank you, Mr. MacDonald. Would you move the adoption of your report, please?

MR. MACDONALD: I move the adoption of the report of the JOURNAL committee.

MR. MORELAND: I second the motion.

THE CHAIRMAN: Is there any further discussion?

(No response.)

THE CHAIRMAN: If not, all those in favor signify by saying aye.

(Whereupon, the motion having been put to a vote, was unanimously adopted.)

THE CHAIRMAN: We come now to the report of the Committee on Index of Legal Periodicals.

MR. DRUMMOND: We seem to be moving along at a pretty fair rate here so I won't say all that I originally intended. You have all read the report, I assume, at least if you are interested.

I think the main thing that you would want to hear about today is progress. Since the publication of that report on the financial situation of the Index, the Wilson Company some time ago began the preliminary steps toward revision. I think all of you have received and I hope sent back the questionnaires. We collected the questionnaires which you have received, and I think to date we have about 66 per cent, which I understand from Wilson & Company is very good. They even are able to go ahead and fix rates on their own where they only get 25 per cent.

Those of you who have not filled out a questionnaire should do so, because if they don't hear from you, they will have to fix an arbitrary increase.

I don't know whether you realize how the subscription rates are determined. Briefly, it is this: They take the number of entries in a given year in the Index and divide that into the amount of income which is felt necessary. Now, that income covers all the production costs, our editorial costs, and the commission of the Wilson Company. When they divide the number of entries into the total income desired, as they arrive at a cost per entry, then they take a given periodical or given periodicals, such as the *Harvard Law Review,* which has about 400 entries per year, multiply that times cost per entry, and then they determine how many subscribers to the *Index* are subscribers to the *Harvard Law Review,* and divide by that total, which gives cost for library per entry for the *Harvard Law Review*. That is a tremendous task and they are working on it now.

The billing for those subscriptions which came in June will be held up until this revision has been completed.

One point about the fixing of the rates: We have added an additional thousand dollars a year for profit to

the Association. Our profit has gone down every year, until I believe this year we will actually be running in the red. So that if any of you get tremendous boosts in rates, remember that you have been getting gravy for about eleven years now. There has been no revision for about eleven years.

In that connection, I would like to be able to say that the average increase would be so many per cent, but that is impossible because if you consider all these various things which go into fixing any given subscription rate, you will see how the increase will vary too. A library which has started small in 1937, and which has added a tremendous number of periodicals since, may have an increase as high as 300 per cent in its cost, whereas a large library which has not added too many more periodicals wouldn't have a very large increase.

We thought of various other methods of arriving at rates, but the experience of the Wilson company has been that this is the fairest method and the only method which they can justify to subscribers.

When the new rates go into effect, you will get a letter which describes in more detail what I have said here as to how rates are fixed.

One point that was raised by the president yesterday in his report, I would like to comment on, and that is that perhaps cost of production and so forth should be investigated. That we cannot really do. The rates are fixed under a contract with the Wilson Company. Their commissions are on a percentage basis and I am forced to take back all these harsh words I formerly said about the arrangement with the Wilson Company. I have become convinced that it is a fair deal.

For example, on all of their publications, they figure an overall overhead of 25 per cent. Now, our percentage is 15 per cent a year and 50 per cent of any increase over a previous year. Averaged out over the past three years, that brought it up to about 20 per cent, which means we are actually getting 5 per cent less for overhead than Wilson Company has to figure for its own publications.

I also believe that the last time this has been gone into, Mr. Price discovered that the best offer he could get from any other publisher was 30 per cent, so that I think we are actually doing very well.

The contract was automatically renewed and runs until 1949. At that time we may want to go into the question of a fixed yearly rate rather than a 15 per cent yearly, with an additional 50 per cent for additional income.

One more thing about the increase in rate, which you will find, and that is the costs have gone up tremendously just in the period 1945-'48. The number of pages increased 34 per cent; the paper cost was up 326 per cent and the total cost of production was up 118 per cent, and you have had no increase at all in your subscription rates.

The editorial costs must increase. We have discovered that one person can no longer do the indexing. I had a letter from Miss Wharton a couple of weeks ago, in which she gave her figures on increases for the period from 1944 to 1948, the number of en-

tries increased 53 per cent; the number of issues of periodicals increased 21 per cent and the number of periodicals themselves went from 138 to 165.

Mr. Pulling spoke most highly of Miss Wharton's work and it seems she has actually been working too hard. She comes in on holidays and all that sort of thing, and at present she has 136 periodicals just waiting indexing. If you multiply that by the number of entries she has from each one, that is a pretty tremendous thing. So the committee and the executive committee have agreed that she should have an assistant. Now, that is all being taken care of in the new revision of rates and we should show more profitable operation in the future instead of steadily declining as we have been doing in the past.

For next year, I think I would like to say that the committee feels that study should be made of sub-heading revision. If you read the report of the committee in the JOURNAL, you will see that I have mentioned Miss Hall's suggestion, which has never had any action taken on it, and one of Mr. Price, about a coöperative venture. I believe that during next year a sub-committee of the Index to Legal Periodicals Committee should be appointed to undertake this work, and I feel that Miss Hall should really be the chairman, because she is the moving light in that field.

One other item which I believe the committee should take up next year is the promotion of sales, particularly to law offices. It has never been done very well and I think that our committee can furnish material to the Wilson Company to try to promote the sales among law offices.

THE CHAIRMAN: Thank you very much, Mr. Drummond. I wish to commend Mr. Drummond and his committee for handling a difficult situation very well and spending a great deal of time with the Wilson Company, in working out plans and studying this rather critical situation.

Do you wish to move the adoption of your report, Mr. Drummond?

MR. DRUMMOND: I move the adoption of the Report of the Index Committee.

MR. RIGGS: I second it.

MR. DRUMMOND: The minimum rate at present is $9. That will be raised, I believe, to $12, with foreign rates going from 12 to 15. It is getting a whale of a lot for $12. You get your ten issues a year, annual accumulation for $12, and that seems to me to be the best value.

THE CHAIRMAN: All those in favor of adopting the report say aye.

(The motion, having been put to a vote, was unanimously carried.)

THE CHAIRMAN: Mr. Fiordalisi, will you give us any further comment you may have on your report of the Association Exchange.

MR. FIORDALISI: I have no further comment to add to the printed report of the Exchange. I move its adoption. Oh, yes, excuse me. There were several suggestions made, but I think they would be easily taken care of out of any funds that were made available, and it isn't necessary to bother the membership with the minor expenditures.

THE CHAIRMAN: Fine. Is there a second to the motion that we adopt the report of the Exchange?

MR. MORELAND: I will second it.

THE CHAIRMAN: Is there any further discussion? Are there any questions anyone wishes to ask Mr. Fiordalisi on the operation of the Exchange? This may be the only time that we have to discuss it.

(No response.)

THE CHAIRMAN: All those in favor of adopting the report say aye.

(The motion having been put to a vote, was unanimously carried.)

THE CHAIRMAN: The report is adopted.

We discussed this morning the matter of the report of the Special Committee on constitutional revision, by Mr. Moreland. We still have to vote on those questions this afternoon. I believe, however, that we might have first the report of Mr. Roalfe's Committee and then distribute the ballots on both sets of proposed amendments and vote on them at the same time, in the interest of saving time.

Mr. Roalfe, are you prepared to present your report?

MR. ROALFE: Well, if I scent the wishes of the members, it seems to me quite clear that brevity is what is desired. Since this report appears in full in the JOURNAL and also in the reprint that is available here today, I think I can cut my statement quite short. I want to address it primarily to the recommendations that are included in this report. Obviously, as I think all of you know, the bearcat that our committee has by the tail, is that of trying to find some way of raising additional revenue to support the Association. We haven't been able to come up with any very satisfactory answer; and the committee this year—and I am sure if it is continued, the committee next year would like to have the assistance of any member who can help.

Now, in surveying the situation this year, we came to several conclusions. One was that one method by which the revenue could be increased would be to put on an intensive membership drive. We mean by this, not the sort of a membership campaign that is carried on by the Membership Committee each year, but one in which there is a wide-spread coöperation by the membership at large. We feel convinced that there are a substantial number of people in law library work who have not been approached, and if a nation-wide canvass be made, that the revenues can be increased to a considerable extent. However, we recognize that even if the membership would double, if the dues were double, that membership dues would not under any circumstances provide additional sort of revenue we need, which we figure would run from at least $2,000 or $3,000 to $8,000.

Now, in looking around for another practical method of raising revenue, it seems to me that we are entitled to believe that a profession as numerous and as powerful as the legal profession is, should be in a position, financially, to obtain the kind of library service that it should have. We also feel that it is wholly unrealistic to expect a small group, as our group, which is really a group of representatives, personally and through its various libraries that we represent, to provide the kind of revenue that we need for this work. Therefore, we have felt that during the next year, one

of the very useful things that could be done would be to canvass the possibility of obtaining support from the profession at large. Now, just what should be done is, of course, a big problem. But among the ways that we have considered possible, was the creation of a sustaining membership, which might be presented to members of the Bar who are not librarians and who might in that matter assist us to put on the type of a program that we need, because it is perfectly clear that there are things that we cannot do for ourselves individually, but must do through the medium of an association of this kind.

Now, since it would take time to raise additional revenue, whatever the means may be, our committee has proposed that in the interval, in order that we may make the office of Executive Secretary more effective, we divide the work and that we establish two officers, having the second officer a treasurer, who would take a part of the burden.

Any of you who have had occasion, I think, to correspond with Miss Coonan, must have been impressed with the great competency that she has, and any of you that have had to have any kind of an insight into the task that she is trying to carry, in addition to a full-time job, must know that she has been very unhappy about the many things that she has necessarily left undone.

Therefore, our proposals are, first, that the members here today seriously consider an amendment to the constitution, which would create two officers, an executive secretary and a treasurer, in place of the present executive secretary-treasurer. Second, the committee, next year, if it finds that a sustaining membership may be used to advantage, will not be precluded from using this device. We propose also that the members seriously consider an amendment to the constitution which will empower the executive committee to establish a sustaining membership. You will note that in this case we are not taking any final step. We are just trying to clear the way for the use of that device.

Now, we did consider a third possible source of securing revenue, and that is one that has been under discussion for many years, and that is the use of the Index to Legal Periodicals, to produce not only the revenue necessary to operate the Index, but to help the Association. Mr. Drummond has already presented his report. The situation in respect to the Index as a possible source of additional revenue, seems to deteriorate progressively for two reasons, first, increasing costs, and second, because all agree that the Index can and should be substantially improved, and improvement is utterly impossible without additional revenue.

Now then, I would like to suggest that these two amendments, I have described briefly, be acted upon by the members, and I really hope that you will act upon them favorably, because I think that they are important. Secondly, I think that if the Association so wishes, it may suggest to the executive committee that the Committee on Index next year consider again the possibility of the use of the Index to secure additional revenue, although we do not feel very hopeful.

Third, we believe that the Executive Committee should be directed to give very serious consideration to the conduct of such a nation-wide campaign for new members, as we believe it would be highly desirable not only as a revenue producer, because it will have great merit irrespective of that constructive factor. Lastly, we recommend that this committee be continuous because we feel that although the problem is a very difficult one, the Association should persevere until it finds a solution. To that last one, I would like to ask that somebody else be given the job of holding the bearcat by the tail next year.

Mr. President, I would like to recommend that the recommendations contained in our report be acted upon favorably.

MR. RIGGS: I second the motion.

THE CHAIRMAN: We have a motion which has been seconded. Is there any further discussion or question? Does anyone wish to ask about any of these proposed amendments?

MISS CUSHING: Are you speaking to the proposed amendments, generally, or just a proposition just stated, the proposition given by Mr. Roalfe?

THE CHAIRMAN: I believe we can open it up to all, because we are about to vote on all proposals.

MISS CUSHING: I notice that in the proposals given, they provide for a secretary and treasurer as two separate officers in the proposal to Section 11. Mr. Moreland's committee simply says that there shall be presented by the executive committee the names of the president, the president elect, executive secretary and membership on the executive committee and there is no provision there for them to bring in the name of a treasurer, if we adopt a treasurer.

THE CHAIRMAN: Is it worded, "Secretary-Treasurer"?

MISS CUSHING: No, it simply says to nominate candidates for the elective position of president, president-elect, executive secretary and membership on the executive committee; whereas in Mr. Roalfe's amendment there is a proposal to put in the treasurer. We are again faced with this question of amendment.

THE CHAIRMAN: That is right.

MISS CUSHING: However, I understand no ballot went out on this matter. I do not see why a ballot could not go out now, putting in the words, "and treasurer" in there, or should we ballot on whether we want a treasurer first and then take up Mr. Moreland's revision after we have voted on this? It leaves us in a rather peculiar situation. No ballots have gone out so there are no ballots that have been cast by anybody else.

THE CHAIRMAN: Well, it seemed for the purpose of the voting here, certainly, that we could read in those words and vote on them that way, and then in sending a mail ballot to those who weren't here, include the words, "and treasurer."

MR. MORELAND: Then you will have to vote on Mr. Roalfe's first.

THE CHAIRMAN: It really doesn't make any difference. Read this as though the words "and treasurer" were included in the proposal. You may write it in if you wish to make it clearer to yourself and you can consider that as the form in which the amendment has been proposed. It is obviously an inadvertence.

MR. HILL: Mr. President, shouldn't

it just be "comma treasurer"?

THE CHAIRMAN: I believe the ballots have already been distributed. I wonder if Mr. Bitner, Mr. Moreland and Mr. Fiordalisi would act as a counting committee to prepare these and turn them over to the secretary. We can get a consensus of opinion here, although, as I understand it, we still have to send out ballots to those who aren't here, to comply with the provisions of the amended constitution.

Now, while that is taking place, is Mr. Marke here? I believe he has an announcement or two.

MR. MARKE: May I have your attention, please. Tomorrow we are going to have a tour of the city, under sponsorship of Fred Dennis and Company. All those who are interested in going will please meet in the foyer, right out here, at 9:30, not later than 9:30 tomorrow morning. The buses will pick us up at a quarter to ten. It is a two-hour tour and necessarily, we must start around a quarter to ten and we will be back about a quarter to twelve. Now, Mr. Donnelly has been sort of radiating around the room, attempting to ascertain exactly how many are going. So far we have a definite number and we have ordered buses to take care of all those who wish to go. Please tell him immediately if you intend to go and have not advised us as yet.

On Thursday—well, I will advise you tomorrow. Perhaps it will be too much for you to remember. But we will take care of you as well.

MR. DRUMMOND: I would like to add one little thing to what I have said. I understand a question has been raised about the insolvency of the Index. I did not mean to indicate that the Index is insolvent, but, namely, that last year's income does not meet operating expense. There is still $8,000 and some dollars in the bank.

THE CHAIRMAN: Mr. Gay has called my attention to the fact that under the wording that was adopted to the constitutional amendment last year for balloting on these amendments, it is not necessary for us to send ballots out after this meeting, so that the votes which we take here will be filed and that will simplify the whole thing a great deal.

Now, everyone should have two sets, two sheets, one containing the amendments proposed by Mr. Roalfe's committee and those proposed by Mr. Moreland.

One section meeting will be held across the hall, Mr. Riggs' group—the section for Technical Library Problems will meet in the north, the other end, and the section for the other group will meet on this side for the section meeting, immediately after we finish.

I believe we can call for the report on the ballots tomorrow, to give the committee time to compile the results, so we can proceed with section meeting immediately.

(Whereupon, at 4:40 p. m. the conference adjourned in order to have the various section meetings.)

Tuesday Evening Session—9:00 P. M.

THE CHAIRMAN: After a full day's program, and having had a bad nightmare last night, I endeavored and was quite successful in delegating one responsibility for this evening. I asked

Judge Medina if he would take care of the funny stories for me tonight, and he said he would be very happy to do so. So we will save those until Judge Medina will speak to us a little bit later.

I might tell you a little bit about this nightmare I had last night. Coming from the great Southwest, we have heard and read for so many years about all these bogey men you have here in New York, that I was conscious, subconsciously, of one of these thugs crawling up along the Hotel Pennsylvania last night, and sure enough he discovered one of those open windows into the private boudoir of one of our lady members of the Association, and this thug got halfway across, one leg inside the room and the other still hanging out, and you know what happened? I woke up. Do you want to know who was inside that room? Well, I don't know. I was too modest to look.

Now, before we go ahead with our novel features which the fair City of New York has been providing for us, I would like to continue a tradition of this Association.

We all know very well, I am sure, the old members of our Association, the grand lady who is with us tonight, a life member, for many years law librarian of the State of Louisiana. For a number of years, whenever she has been able to be with us, she has given us a word of cheer, and I would like at this time to ask Mrs. Alice Magee Brunot to say a few words to us. (Applause)

MRS. BRUNOT: Mr. President, Ladies and Gentlemen:

You have placed me, President Poldervaart, very much in the position of a bridegroom, strange that I should remind anyone of a bridegroom, isn't it? But I will tell you this and you will see if I am not right. The newly wedded couple were receiving the congratulations of their friends, and someone remarked that George, the bridegroom, should give a toast. He didn't hear at all; never responded. Then someone said, "Oh, get up, tell us something; tell us anything; tell us how it feels to be married; tell us what you said to her when you proposed and what she said to you." But George remained glued to his seat.

Then his bride leaned over and whispered into his crimson and burning ear, "George, get up. I wish it."

Well, George got up. He looked about for some avenue of escape and seeing none, he placed one trembling hand on the shoulder of his bride and he blurted out, "My friends, this is none of my choosing." (Laughter and applause.)

THE CHAIRMAN: Thank you very much, Mrs. Brunot.

MRS. BRUNOT: Mrs. Moore, do you insist upon my trying to imitate that? Do you insist upon that?

MRS. MOORE: I certainly do.

MRS. BRUNOT: Well, I don't know. I haven't attempted anything like this for a long time.

THE CHAIRMAN: Come on up here, come on up, Alice.

MRS. BRUNOT: Frank McLaughlin was a distinguished lawyer in Louisiana. He was born February 2, 1860. He was a great civic leader and he criticized the politicians for things they did and shouldn't do, and for things they did not do and should do. But

his arrows never hurt. They found their mark but they were all clothed in this inimitable imitation of the language, the broken English that is spoken out on the Bayous, the sugar lands.

Now, there is one I would like to remember. I know his "Visit to the Opera," but I am afraid I couldn't go through that. I will try this. It is called, "Melanie or Creole Courtship."

Frank McLaughlin wrote under the *nom de plume* of Jacques le Friance. Jacques met the beautiful Melanie at a dansant and by the judicial use of ice cream and cake he managed to gain the good graces of Melanie's mama and he was asked to call, which he did the following Sunday.

He was so cordially received that he repeated his visit the next Sunday, but this time he was met at the door by Melanie's papa, who tapped Jacques on the shoulder and said, "Come this way," and the old gentleman led the way to the dining room. Once there, he produced a decanter and said, "Take some cognac. You will find it very fine. Take a cigar, it is a real Havana. Do you want to know for what I want to see you?"

Jacques said, "Yes."

"I have noticed you have paid attention to my daughter. Oh, I am not at all displeased, no, not when a young man like you makes love to my daughter."

Jacques stiffened up a little bit. He didn't think he made love to his daughter.

"Oh, but I am not at all displeased. My family, sir, is one of the best in the city. We are twenty-first cousins with Jean Marie Batiste and Louis de l'Homme, whose grandfather slapped that Spanish canaille on his cheek, as you will find this down in the diary; and when those yankee rascals came and took our plantations, our negroes, we were forced to work, yes, work and leave our place and come to New Orleans. So you see, my dear friend, I am not at all displeased when a young man like you makes love to my daughter."

"But I didn't make love to your daughter," blurted out Jacques.

"You didn't make love to my daughter? You have seen her, danced with her, played with her on Sunday after Sunday. There is no other course left to a man of honor, but to marry her, yes, marry her."

"But I couldn't support a wife even if I wanted one. I only make $40 a week."

"Ah, mais sure, Jacques, that is nothing. It is true you don't make much. But for me, I don't care. The money is nothing. You can come and live with us. Yes, and after awhile maybe your boss will get to like you more and give you $75. Then we live very fine. So that is all fixed. Ah, Mon cher Jacques, you don't know what it is to be a father, I suppose, then you will never know how happy I feel when you ask me for my daughter, and you didn't take me by surprise, no. A father, he knows when his daughter, she love a young man, and Melanie she love you, yes, she dream of you at night and when St. Louis de l'Homme love, she never let go, no, she like the people, and she die first. So that is all fixed. Eh bien, I will talk to Pere le Cure and I will make the announcement next month

and Melanie will be ready. You can buy one little ring, oh yes, I know you don't wait for long. Alors, alors, let's go to the salon and I will talk to Melanie that I have acceded to your demand." (Applause and laughter.)

THE CHAIRMAN: Thank you very, very much, for your kind presentation.

MRS. BRUNOT: You are welcome.

THE CHAIRMAN: We always enjoy your being with us and we look forward to hearing from you from year to year.

MRS. BRUNOT: Thank you, President Poldervaart.

THE CHAIRMAN: Now, this evening I have another very unique experience. Ever since I was old enough to read the newspapers, I was intrigued by stories which appeared in the society columns of the Metropolitan newspapers about a certain type of person that lived and grew up in these large cities of ours, who, when they reached a certain age, made their debut—that was a strange-sounding word to someone who lived on a little farm in the Midwest—and I often wondered if I would ever see the day that I might see one of these debutantes. To this day, I have read about them; I have seen their pictures displayed in the metropolitan press, but suddenly, I discovered that tonight I have the privilege of introducing to you a talented young lady, who is making her debut in a musical career.

Miss Marie Foley, I believe, has selected radio, comedy music as her career.

I am very happy that we have the privilege and opportunity to have Miss Foley with us tonight. Before introducing her numbers, I would like to introduce Mr. Martin Williams, who will accompany her on the piano. Will you take a bow, Mr. Williams? (Applause)

Miss Foley's first number will be an operatic aria.

(Whereupon, there were vocal selections by Miss Marie Foley, which were followed by enthusiastic applause.)

THE CHAIRMAN: Thank you very much, Miss Foley. I am sure that your reputation has now been established, as the law librarians of the nation go back from New York to the highway and byway.

I am beginning now to feel a bit more at home. There is a familiar chord attached to speaking with a judge, having worked with judges a good deal, whereas I feel very much not at home with law school professors, —yet. But when we have a judge who has a Spanish name, then I feel perfectly at ease.

I didn't know anything to speak of about Judge Medina's career before this convention, and not wanting to appear too ignorant before the New York members of this Association, I sought to extract painlessly a little information here and there about Judge Medina's background. So I queried one member of the Association and said, "What can you tell me about Judge Medina that I might use by way of introduction?" He said, "Oh, Judge Medina, my goodness, he is the most famous trial practitioner in New York State."

Then I asked another member, and he said, "Oh, yes, Judge Medina formerly was professor of law at Columbia University and now he is Judge of the United States District Court

for the Southern District of New York."

Of course, I could have looked that up in the Federal Reporter. Then, this much was pretty clear—probably is to all of us—that the Judge co-authored the revision of Carmody's Practice. We deal with those books day after day.

I asked another member of our group, and he said, "Well, Judge Medina is a graduate of Princeton and of the Columbia Law School."

Another one gave me this information, and this was rather interesting, he said, "Why, you know, a lot of people who take the bar exams in New York State, go to Harvard, Yale, to study law for three or four years. Then they come to New York and they want to take the bar exam, and suddenly discover they need to learn a little law, so they find Judge Medina and in six weeks' time, in a bar review course, he teaches them more law than they learned in all those years at Harvard or Yale." (Applause)

Now, I think we are very fortunate indeed to have a man of that caliber to address us tonight, so without further comment, except just this, that we can consider, and in fact I believe, Judge Medina would be eligible to some kind of membership in our organization and in our Association. The Judge is very fond of books and maintains a very extensive library of his own, and he is following the advice of Professor Simpson, the speaker this afternoon, in not limiting it to the purely technical books of the law. He has expanded it into the romance language field as well.

Judge Medina, it is a special pleasure tonight to have the privilege of having you with us to address us. Judge Medina. (Applause)

THE HONORABLE HAROLD MEDINA: Mr. President and Ladies and Gentlemen:

Now, I don't want that thing (indicating the microphone). I don't know whether you can hear me in the back of the room there or not. Is it all right? Or do you want me to get this microphone? We will see how it goes and if I need the microphone, I will reach for it. But I have never gotten out of my mind the first occasion when I saw Stone, who was then the Attorney General of the United States, address one of our Columbia Law School gatherings, and they brought that microphone, and it distorted his voice so that he finally picked it up, threw it on the floor and then went on with his speech.

In any event, it is a real joy to me to come here tonight and perhaps not for the reason that you might think. Now, there are people through life who get under obligation to a lot of different people that they like, and I have a notion that those things, those obligations that really touch your heart are the little things. They seem small at the moment, but in the aggregate they build up quite a sense of obligation and quite a sense of affection; and the thing that really got me to come here tonight was that I was going to see Mrs. Coleman here and Mr. Hill and Mr. Price and Mr. Schmehl. I have looked around for Mr. Schmehl. I don't know whether he is here. I had hoped he would be here, and I hope he is here because I have had a lot to do with him over the years. They have been so nice to me. They have helped me in such an

infinite number of ways that I really wanted to come.

Now, when they asked me to speak, I had a lot of good ideas and they had to do with books and they seemed to me to be quite appropriate. But the committee waited on me and they said, "Oh, no, that is all out. What we want is a lot of little anecdotes of one kind or another, your own experience and how you like to be a Judge, and what you do, and this and that"; and I said, "There is nothing that bores people like some man getting up there and blowing his own horn and telling you what a wonderful fellow he is; he has done this and that and the other thing"; and they said, "Oh, no, you won't be like that."

Well, maybe I will and I will surprise them a little bit. In any event, what I am going to try to do is to tell you a few stories of my own experiences, but select those that I think have something, have some significance in preparing me, as it were, for my life as a judge, and then some of the resolutions that I formed and how I have broken them, and a lot of things of that kind.

You probably noticed the other day that Earl Carroll was killed in an airplane accident, and I don't know how many of you remember that Earl Carroll's bathtub case way back in, was it 1926 or '27? Well, I was in that case. I wasn't in at the trial, but I was retained in a rather curious way to write the brief in connection with the appeal to the Circuit Court of Appeals.

Mr. Carroll communicated with me that he was thinking of getting me to do it and would I come up and see him. I said, Yes, I would. Where should I see him? Up at the theatre, of course, where they were carrying on one of those Earl Carroll Vanities.

So just about theatre time, when I was supposed to be up there, I marched up and there was Earl Carroll's brother at the door, so I didn't have to have a ticket to get in, and he brought me in there and I naturally thought I was going to talk business in some little office or another; but they let me down through the catacombs, and the first thing I knew I was in a little room way down two or three floors below the stage, and there was Mr. Earl Carroll and an extremely luscious morsel, whom he had there as his leading lady, and she had on a sort of bathrobe or kimono, and all I can remember about the conference was the darn thing kept slipping off here and slipping off there and it was very hard for me to keep my mind on my work. (laughter); but anyway we went over the points and all this and that, and finally it was decided that I would be retained to write the brief and Mr. Herbert Smythe was going to argue the case in the Circuit Court of Appeals.

After that, they said, "Now Mr. Medina, how would you like to go behind the scenes while the show is going on?" I said, "I think I would like that very much," and of course I always thought that these actresses, when you got close up to them, were all pretty terrible looking, with all that awful paint on and so on, and I thought they looked terrible. But I was wrong. There is no question about it at all, I was wrong. They looked much better when you were

close than they did when you were off in a distance. (Laughter)

Well, anyway I wrote the brief and we finally got down to the argument of the appeal in the Circuit Court of Appeals, and how that Court murdered Mr. Smythe. Those points looked pretty good when I got the brief up, but I don't know how many of you remember Judge Huff and Judge Mack. Well, they just put in a cross-fire on poor old Mr. Smythe and they not only demonstrated that there wasn't anything in the case, but they convinced me of it. I just couldn't see that there was anything in it at all.

I am working up to something here. So they affirmed and wrote the opinion and all that, and then Mr. Carroll wanted me to go and see Stone, who was then Associate Justice of the Supreme Court, to get a stay. Well, you know, if somebody had told me that in a perfectly legitimate legal case, that had gone through this Circuit Court of Appeals and an opinion had been written, that I wouldn't go to the Justice who was in charge of the Second Circuit and orally apply to him for a stay for a fee,—because I was practicing law for a fee and I needed the money—if somebody told me that I would refuse to do it, I wouldn't have believed him. But when I was faced with it, when the time came to do it, and I had been convinced on that argument that there wasn't anything in any of these points, I just told him I wouldn't do it, and I didn't do it. I just couldn't see myself sitting there, trying to explain to Stone, my colleague, my dean up there at the Columbia Law School, the man whose children and my children grew up together, I just couldn't see myself up there trying to show him that those points were good, when I knew they weren't. Somebody else went up there and somebody else got licked and somebody else got the fee, but I didn't; and I am kind of glad I didn't.

You know, it is funny how those things happen. There wouldn't have been anything wrong in my going. Of course, there wouldn't; and one of the things I am going to try to demonstrate a little here is that the ethics, the difference between right and wrong, is not all down in the books. You learn the canons of ethics; you go by them and every time you are wondering whether you ought to do this or that, you look up the book to see whether you ought to do it or not. That is no way, in my judgment, to figure it out at all. Maybe you have to do that, but if you have to do that, then I am sorry for you, that is all. It is too bad.

Now, I had another experience that really was a very, very tragic one. There was a man—am I talking louder than I need to, or can you hear me back there just very comfortably?—there was a man who had put an advertisement, or who had read an advertisement in the "Times"; and read something like this: "Anybody having $500 to invest and wanting to get established in a good business, communicate with us," and so on and so forth.

Well, this young man had $500 in the savings bank, and he went around to these people and they said, "Well, we have this wonderful appartus of one kind or another, having to do with acetylene gas, irons and lamps

and things of one kind or another, and we will make you the exclusive agent for the State of New Jersey. You put up that $500 as security and then you will make a lot of money doing this."

Well, this fellow put up the $500 and he went out to sell these things, and he found, going out to Bamberger's and anyone of the places in Newark, that they were sold at retail at less than he was paying these people wholesale for them, and he just couldn't make anything out of it; it was just a fraud.

He came around to me and we sued to get the $500 back.

Now, if you remember your law of election of remedies, you will remember that there are two possible and inconsistent remedies. In the first place, you could repudiate the contract, you would have to return or offer to return any benefits, and he had received a little box with some of these acetylene articles in, that was possibly worth about $25, but he hadn't, and I hadn't advised him to tender, to return that at all. That would have been on the theory of disaffirmance.

Now, on the theory of affirmance of the contract, in proving our damages, if we retained this little box with the $25 worth of stuff in it, then we would have to prove the value of those articles, so that when the jury brought in the verdict, they could deduct the value of that from the $500. It is all as clear as day to me now, but then I didn't understand that at all. It looked to me just like a plain ordinary garden variety of fraud. That is what we sued them for and I found a couple of other people that had been gypped in exactly the same way. One was a school teacher in Pennsylvania, and I had her come on here, and boy, did we go to town with that jury there, and everything looked wonderful.

Well, they came to the end of the plaintiff's case, and I said, "Plaintiff rests"; and with that, this defendant's lawyer just said a few words; he said, "I move to dismiss the complaint," and the Judge said, "Motion granted."

There wasn't any explanation of why the complaint should be dismissed. If an explanation had been made, an amendment or supplemental evidence was a very simple matter indeed, but the lawyer didn't do that, and the Judge didn't do it, and I hadn't anticipated anything like that. I didn't know what to do. I was still sitting there dumbfounded and they called the next case, and the next case was starting and I hadn't even picked my papers up when I heard a shot out in the hallway; and I went out there and there was my client out in the hallway of the Municipal Court over in Brooklyn, and he had shot himself; and he lay there right in the hallway, and I will tell you it was terrible. I didn't even dare tell them about it back in the office. I didn't tell my wife anything about it when I got home that night. I was frightened to death. I didn't know what to do. It was fifteen years before I would even dare tell a soul about it. Nothing came out in the newspapers; nobody gave a darn. That poor old devil was shoveled off and put in some sort of a grave somewhere and nobody cared. But that has got a lot to do with what

I do as I sit on the bench today, and don't you make any mistake about that, whatsoever. It is things like that that just burn into your soul. You just never forget them and you never could do a thing like that while you have that recollection.

All right. Now, I am just going to give you another little illustration and then I am getting on to the rest, because I am not going to bore you with a long harangue here. I hate people getting bored to death while listening to somebody talking after dinner, and I am going to try my best not to bore you.

Well now, another experience that I had came when I had that treason case wished on me during the war. I don't suppose any of you even heard of it. Well, it doesn't make any difference whether you heard of it or not, because you are going to hear about it now.

You probably remember those fellows that came over from Germany in the submarine, to put all the explosives around in the aluminum factories here. One day in August of that year, Judge Knox called me up—I was out in the country, having a wonderful time, sitting around there. I had just got back from playing golf, and I was drinking a highball there with the family and feeling very fine—and he said, "Harold, I have got something I want you to do."

I said, "Well, what is it?"

"Well," he said, "We have got a fellow just indicted for treason here and I want to assign you as counsel to defend him, because he hasn't got a friend and it is really a patriotic duty and you ought to do it."

Well, I didn't want to do it much. I didn't want to do it at all. But I didn't see how I could say other than, "Yes," and I said, "Yes."

And it was a day or two after that that I met this fellow down in the jail there, and I can remember how he told me the story of how one of these fellows that came on the submarine was a friend of his and this man had given him the money belt with some of the money he had brought over; and this fellow had put it in his little safe deposit box, where he had maybe a couple of hundred dollars worth of stock, and before he got it out they arrested him and there he was, charged with treason.

Now, you just put yourself back in my position. The lawyers all understood why I ought to do it, why I had no alternative, really, than to do it, but nobody else understood. My own mother, by golly, she just bawled me out and said she couldn't understand it; the fellow ought to be taken out in the back yard and shot, and was I mixed up with all these Nazis and it must be something mighty queer about it, some way or another; and all our social friends, particularly the women, why, they began to look askance at me and wouldn't talk to me any more; and you know, it sounds kind of funny now, but you put yourself back there, in the middle of the war, with everybody frightened about what these men were going to do from the submarines, and then you hear that Harold Medina is defending the fellow and it begins to look kind of funny. Maybe he is getting something out of it some way or another. That is what they all thought, and that is what

some of them made no bones about saying, too, and in a very unpleasant way.

Well now, you know, the effect of all that on me was to make me all the more determined that as far as I was concerned, that fellow was going to get the best defense I ever put up for anybody, and so I went into that trial there and what I went through on that trial is just nobody's business. One day I was walking up to the counsel table and somebody spit all over me; and there were some friends of mine sitting there and there was some argument about those fellows up there, and this fellow said, "Who is that fellow with the mustache?" Somebody said, "He represents the German government."

That was me up there, as assigned counsel, doing my duty, and I was supposed to be representing the German government!

Well, anyway, pretty soon, after we got licked on the trial and the jury brought in a verdict—and that was the first verdict I lost for fourteen years, and, boy, I hated to let that one get away from me, I will tell you that, and some day or other I will tell you how simple it is to go in there and try these jury cases. All you have got to do is know your case and be straight with these people, these jurors. They talk about all the sly tricks and all this monkey business you put up to them. But nobody seems to realize that all you got to do is be straightforward with them and not try all those tricks and you will get your verdict and you will get away with a thing a thousand times better than if you were up there, pulling all these smart, slick tricks that everybody is telling you about, that are supposed to be so wonderful.

But anyway, we got licked, and so we had gone up to the Circuit Court of Appeals and I took a pretty good kicking around up there in the Circuit Court of Appeals, and then we finally —finally certiorari was granted up to the Supreme Court, and then when the Supreme Court had been interested in what was the first treason case ever to get into the Supreme Court, then these people began to think, well, maybe Harold Medina wasn't such a Nazi after all; and I got up there and I went to Washington and I spent about a week or ten days up there, just ruminating on that and studying, working on getting ready for that argument; and I got up there on the first day of the argument—it took a whole day—they set it down for reargument later. That is why I say, "The first argument," and I was going pretty good that day and I saw a little fellow writing something down, and I said, that is a stenographer taking down my argument, how lucky that is, because really, I am going fine today, and I was too, I was doing all right; and then afterwards, I communicated with this man, after finding out who he was, and said I would like very much to have a copy of the argument. "Oh," he said, "I didn't take down your argument. I was just practicing there, waiting for the Solicitor General to go on, and I got his argument all right. I would be very glad to furnish you a copy of it."

Well, all right. Now, remember what I started to tell you, which is at least various things have a lot to

do with my attitude toward things as a judge.

Now, what is the point of that Kramer case? Well, the point of it is that you just have no conception what it means when you are up there fighting for justice, when you can't win anything for yourself at all; you can't make any money out of it; your chances are that you just get kicked around and people think less of you for doing it. But I will tell you with the utmost sincerity that I never in my life had the thrill that I got when I was there fighting for that man. I didn't care anything about him. I did care about our own administration of justice, seeing to it that whoever the man was, whether he was a German or whether he was this, that or the other thing, that he got the same kind of a deal and perhaps a better deal, but certainly no worse deal, and I tell you, Ladies and Gentlemen, it gives you a thrill, it is just something that no amount of money, no amount of doing things for reputation or for getting a practice and building it up, or for this, that or the other thing, nothing can compare with it. Yet, I would have sworn that if I had really the choice, I would have said, no, that I wouldn't do it. I didn't want to do it. I felt sorry for myself. I thought it was an awful burden to put on me. But I found before I got through that that was all not so. We never can judge so well of those things as we think we can. Just as in that Earl Carroll case, I really wouldn't have dreamt it possible that I would refuse for a perfectly legitimate and decent fee to go up to one of the Justices of the Supreme Court to get a stay. But when I was faced with it, I didn't do it. And so it goes.

Now, those are not experiences just of mine. I think you will find that all sorts of things of that kind are behind every man that chooses to go on the bench. People talk about what a sacrifice it is. Why, that is nonsense. It is no sacrifice at all, unless you are silly enough to just think about a few dollars more or less, or that a few dollars more or less is going to make a difference in your happiness. If you think that, then you have got such a distorted sense of values that you are going to be unhappy before you get through.

I am on the bench now, and I got appointed by President Truman, and I really think I am going to vote for him. He appointed me and he is all right, and I am for him.

Anyway, I formed a lot of resolutions, and I say now that there are a lot of things that you must be very careful to do, and the first resolution was, "Now, Harold, when you get on that bench, you keep that old trap shut; none of this babbling away and talking here and there, but you just remain in dignified silence."

Well, I had heard a lot about that from other people, too. I remember a Judge, and some of you may know him, Eddie Doer, who is on the Appellate Division here, of the First Department in Manhattan, and I remember very well when he first became a Supreme Court Judge, and I was there trying a case before him the first week or two that he was appointed. I went up to the bench there and he had a big sign right behind the little part of the desk that sticks

up in the air, so the people down in the court room couldn't see the great big sign, which read, "Silence," and I said to myself, "Oh, boy, Eddie Doer isn't the only one that can do that. I can be silent too."

That is where I made my big mistake, because I got in there the first day and I was hearing a motion calendar last August, and I was utterly determined that I was just going to listen, patience, just listening, not say a word. So the first thing they did, they had about ten fellows to be admitted to the bar in the Southern District; so they all got there and raised their hands to solemnly swear to support the constitution, and the first thing I knew I was making a speech to them, explaining their duties; that they ought to be nice to the other lawyers there, this, that and the other thing, and so on for about half an hour.

I realized that whether you are a Judge or whether you are anybody else, you just have got to be yourself. You can't get up there and be a fakir. I just couldn't sit there and not make any comments at all. My whole background, my teaching for so many years, everything I do is done by colloquy. I am so used to that that I simply cannot sit back there and listen to some of these fellows saying some of the things they do, without making any comment at all. I just can't do it.

All right. Now, what are some of the other things? I am not going to expatiate on them at too great length, and yet I think they are kind of important, and I suppose I will give them all up before I get through, and I will break all my resolutions; and I don't want to have you think that I wouldn't. But just now I have a few left that I haven't broken yet.

One of those is to be current with my work. Would you believe it, there are some judges that have cases that they heard four, five years ago, that they haven't decided yet? Some of them had had them six months, eight months, a year, a year and a half.

Now, the way I figure it out is, that the reason that happens is that you let the first one get there and then after you have had two or three, you are stuck, because the next case you keep on hearing piles up, and they pile up, and pile up and pile up until you get as some of these judges, who most unfortunately have such a burden of accumulation of undecided cases that they never get out of them.

Now, you say, "Oh, that is fine; that is very simple, that is a great idea; you ought to do that." Well, I just want to mention in passing how hard it is to do that. It means that while you have a trial on, you are down there in the court house 8 o'clock in the morning and you are working until 10, 11 o'clock at night; you are reading all the testimony, looking up law and doing all the work that really you could do after the trial was over. You could get through with it and say, "Now, gentlemen, how long do you want to put in your briefs? Oh, Mr. So and So, you want two months; Mr. So and So, you want three months; and then the reply brief in another month." It is easy to do that.

It is extremely difficult, the work you have to do to be prepared to decide the case when the last man sits down on that final argument. It is a whole lot worse if you have any

conception, but so far, I have been able to do it. I suppose I won't be able to keep it up, but today I haven't even got a motion undecided, let alone a trial.

With the profit cases and admiralty cases, equity cases, all other cases, I have just gone through them, got them out and decided them. But I tell you, I probably won't be able to keep it up. But that is one of the resolutions I made, that hasn't quite gone by the board yet.

Now, here is another one that may surprise you: You hear a lot about judges, how wonderful they are, they settle lots of cases; that such and such a judge will have fifteen cases settled in a couple of days. Well, I can't do that, and, frankly, I don't want to do that. I have an idea that I am on the bench to try cases; and people have controversies and that it is my job as a judge to listen to them and decide; and I don't see—and it is my personal view and I know almost everybody is against me on this—I don't see why I should be blackjacking people into coming in there before me, people who have a controversy, a genuine controversy that they want to have decided, and have me blackjack them into settling a case that they don't want to settle. Maybe that is fine. I don't say you don't need judges who can do that. It is a wonderful thing. But I can't do it.

Incidentally, I don't think of a court as a sausage mill. You know, they say, "Such and such a judge gets rid of 45 cases in a week; but such a judge gets rid of 122 cases in such and such a time."

I happen to think it is more important to take your time with one little case, even if it only involves a dollar, and go into it thoroughly and decide it right, than to take 122 cases in one week and bat them out. Maybe you do just as well, as far as getting just results, but I am not used to that. My whole professional career has been using all possible meticulous care to get down to the finest details. I could tell you cases that I had won by finding in the evidence some very fine and very tiny little detail that nobody else noticed, and then everything else builds itself up to around that.

I don't know whether you remember that fellow, Earnest Renan? Somebody mentioned about my interest in modern language. I have an interest in it and I came very close to being a teacher of romance languages in Princeton. If I hadn't been engaged to be married and couldn't see how I was going to support my family, that is what I would be doing today. That is what I happen to think I would be better at than what I am doing now. But that is neither here nor there. However, this fellow, Earnest Renan, was one of a group in France not so many years ago, who had the theory that if you got a fossil, say, a small piece of the backbone of a fish, that was found in an excavation, that if you were clever enough, if you were patient enough, if you had the genius and the knowledge, you could build from that little portion of the skeleton of a fish every detail of the civilization that existed at the time that fish lived. Theoretically, that is probably so. As a philosophical concept, it is interesting. But as a matter of plain, practicality of trying lawsuits, getting these details, the tiniest little things and then building up from

them, you will find more often than you have any notion that there is a pattern and an inevitable pattern in which the facts fit into one another, as in those cases of circumstantial evidence that you read about, so that it is more potent, it is more valuable, it is more conclusive and convincing than any number of eye witnesses who were there looking at it.

Now, I say, to me, that is the only way I can function. There is no use talking to me about getting in there and batting out ten cases in a day. I couldn't do it. I would become curious and want to hear both sides and find out all there was in that case and squeeze it all out and do my best to reach a just result. I am not interested in being a sausage mill. I am not interested in getting in there and blackjacking people into settling cases.

Now, sometimes a settlement makes a difference. Sometimes I am interested. I had a case only about—oh, maybe two or three months ago—where there was a family squabble, and when you have a family squabble, let me tell you, ladies and gentlemen, it gets pretty bad; and after the first day of that trial I saw that if they kept on talking about one another on the witness stand, as they were doing, there would be a breach in that family that would never be repaired. So I chased the lawyers out and I got all the family into chambers there and I spent a couple of days playing with them and gradually getting the idea going—I knew there was no use hurrying them and cramming it down their throats—and after a couple of days of talking around, why, they began to see the possibility of it, and the third day, as they came in there, I said, "You know, I was thinking last night, when I was lying there, I thought of the idea of getting up some kind of a paper that you people could all sign, and it would start out something like this, 'Acknowledging all our faults in the past,' so on and so forth, promising never to talk about any of these things." I said, "I was thinking of setting up that paper and having each one of you sign it, and having each one of you have a copy of it."

So I went on to other things, and finally we got the case all settled and I dictated the terms of the settlement from the bench, and I said, "All right, that is all"; and instead of going out, the four of them came up to the bench and the little daughter-in-law, who was, I always thought, the one that started most of the trouble, because I suppose that is the natural way for a father of boys to think; if I had nothing but girls it would have been different; but anyway, the four them came up and she said, "Judge, you know that paper you were talking about?"

I said, "Yes, I know."

"Well," she said, "Why don't you get that up, because we have been talking about that and we think if it was just left to us, maybe we would start scrapping again, and if you got up that paper and we signed it and we each had it, and I, for instance, I felt like speaking of some of these things, I could read that paper and say to myself, 'The Judge won't like this.' "

Well now, you know, I almost cried. I was just so moved by that. That seemed to me the most important

thing I have done since I have been on the bench there. So don't get the idea that I don't believe in settlements. They are all right when there is some real powerful reason, but just getting them all in there and blackjacking them into it, I don't like it. Mind you, I am not criticizing anybody else. I am talking about myself and I am trying to do it with sincerity and genuineness, because people know when a person is forthright, so when you don't talk like that, people don't pay attention to you and you are just wasting your time.

In conclusion, I have one other thought, one other resolution that I have still held on to, and I don't think I am going to be able to hold on to it very long, and it is really one of the most important ones of the lot.

You often hear judges say, "I was reversed so many times; I wasn't reversed; I always get affirmed," or this or that.

Now, I happen to think that it is terribly important to a judge, such as I am, in the Lower Court, that hears the trials, to do his job as best he can without any thought whatsoever of what the Circuit Court of Appeals is going to do or what the Supreme Court is going to do. If he begins worrying about that he can't do his job, and you ladies and gentlemen have no conception of how a judge can murder a case just so that he wouldn't be reversed.

There is always an easy way to decide a case. There is always a way that the probabilities are such that if you decided in that way you won't be reversed. But suppose you begin cutting corners that way with your conscience, and the first thing you know, instead of administering justice there as best you can, you will be just guessing all the time as to what will the Circuit Court of Appeals do with this record; what will the Supreme Court do with it?

As a matter of fact, what the Circuit Court of Appeals does with it is their job, and what the Supreme Court does with it is their job, and what I do with it is my job, and if I don't undertake it and stand by it and back it up to the best of my ability, without worrying about what some other court is going to do by way of reversal, I am just no good as a judge. That is what I really think.

Well, you know, that is the way I felt all along. Now I am beginning to get twitchy when I see those little slip decisions come down from the Circuit Court of Appeals, and it is funny, but I suppose I will be giving all this up in a year or two, or I won't do it without a fight, and maybe I won't do it at all. But I don't want to be a fakir here before you and make out that I am just one of those fellows whose wings are sprouting, and you will see me fly off with my harp, and all that. I am not that kind of a person at all.

Well, perhaps I would have done better by telling you funny stories or little experiences of one kind or another, but I don't know. I wanted to have some unity to what I said to you. I hope I haven't bored you. I have had a wonderful time here tonight.

This young lady here (indicating Miss Newman) is one of my rooters, and I miss being up there in the Supreme Court. To tell you the truth, I

hated to lose that Blue Ribbon Jury case. I thought I had that in the bag, but it slipped out, and somebody not very far from here used to come down and hear me argue those cases; and, of course, that always makes a fellow feel pretty good. So she has added a great deal to my pleasure of the evening here tonight, being able to sit here and talk with her.

So, ladies and gentlemen and Mr. President, I thank you very much for your attention and I hope I haven't bored you. (Applause)

THE CHAIRMAN: I take it I do not need to thank you on behalf of the Association, because the applause is the real evidence.

JUDGE MEDINA: Thank you.

THE CHAIRMAN: But I will thank you because I am sure that everyone of us has thoroughly enjoyed your remarks here this evening.

I would say, too, that you have convinced us, Judge Medina, that you are a man of principle and loyal to your friends.

I am reminded of a little incident, which you referred to, in speaking of sincerity and endeavoring to carry out convictions, a little incident in the Supreme Court of the State of New Mexico, not long ago, where a case was brought up to the Supreme Court. The Court reviewed the briefs of counsel, which contained the statements of facts, and normally the Court does not go beyond the briefs to examine the record. But in this case the Court felt that it wanted to hold other than the way the briefs would tend to have the case go. So they very carefully scanned the transcript and every bit of the record and discovered some minor point in the facts which formed a basis for reversing the findings of the Lower Court and giving the decision the other way.

So, the opinion was handed down and called attention to this omission, and the opinion was written to conform to it.

Not long after that, the State Bar Association had this meeting and it had a banquet similar to this one here, and places were designated for the different members of the Bar, including a special place designated for the members of the Supreme Court, and there was a placard covered up above their place. But as the Court came in, some members of the local arrangements committee escorted them to the proper place and then as they were seated, their backs toward the sign, the paper was taken off and it bore upon it this inscription: "The greatest fact-finding body in the Southwest."

Ladies and gentlemen, it has been a pleasure, I am sure, for all of us to be here at this annual banquet of our Association tonight. I think there is nothing in the annual meeting programs, as we think back to them over the years, which thrill us more, which we remember longer, than these annual Association banquets, and it is with regret that I say that this concludes the program tonight.

Thank you. (Applause)

(Whereupon, at 10:55 p. m., the convention was adjourned to meet on Wednesday, June 23, 1948, at 1:30 p. m.)

Wednesday Afternoon Session—2:00 o'Clock

THE CHAIRMAN: Will you all try to come to the front so that the latecomers will find a place in the back and there will be less disturbance to the speakers.

I would like to ask Miss Coonan to read the results of the election yesterday on the constitutional amendments.

MISS COONAN: The official count on the amendments proposed by the Constitution Revision Committee and by Mr. Roalfe's committee on Advisability and Practicability of Establishing the Office of Executive Secretary-Treasurer on a Full-time Basis, were all carried by practically unanimous vote. All amendments to the constitution that were proposed were adopted.

THE CHAIRMAN: Thank you, Miss Coonan.

We are extremely fortunate to have with us this afternoon a man who has given a great deal of thought to classification of law books. He is a man who served as chairman of the Library Committee of Columbia University Law School for many years, and for ten years of that time, according to one of the reports which I received, he spent an average of about two hours a day in the Catalog Department, helping to classify the foreign law collection.

He devised the library's Roman Law and Foreign Law Classification and was starting ambitiously to work out the classification for the Anglo-American Law, when war came along.

Mr. Price boastingly told me that his classification is probably the best worked out of any and it is about the only one that attempts a real, adequate subject classification for all material, including the treatises—we are speaking now of the Foreign Law Classification.

He is an expert on foreign legal systems and in addition to teaching such traditional subjects as Contracts and Agency, he teaches Roman Law, Military Law and Wartime Legislation, Naval Law, Comparative Law and International Business.

His articles have been published, as we librarians know, in many American legal publications and in foreign periodicals of note.

He has done a great deal of research in Roman, Indonesian, Ancient and Primitive Law, and has written texts on several of these subjects.

It is with a great deal of pleasure that I introduce to you Professor A. Arthur Schiller. (Applause)

PROFESSOR SCHILLER: After such an introduction, I hope to live up to a little of the praise that has been handed out.

My interest this afternoon is primarily in telling you the story of what happened at Columbia, telling you what the classification means to me and what I hope it may mean to some of you, and towards the end, to indicate the possibilities for the Anglo-American Law Books.

I came to Columbia many years ago and shortly after my arrival I was placed in charge of preparation of a Roman law book and had to use the library. I soon discovered that the library was inadequate for research purposes, as far as Roman law was concerned. I later discovered that that was true also of the whole of the foreign law collection, and at the pres-

ent time I think it is inadequate from the Anglo-American law point of view.

I don't want to get into an argument here as to the necessity or non-necessity of classification of law books. I speak as a person who has been engaged primarily in research. I am not content to trust catalogs entirely, as far as the catalog is concerned. I want to see the books. I don't like to have to go through—I think there are 1500 books in the "Dewey Classification" under 349.437, which had to deal with German law treatises. I didn't feel like going to 1500 in order to find what I wanted.

One of the reasons for the inadequacy, I think, of the Columbia and perhaps other institutions, is the fact that we had to use in that time the Dewey Classification. Columbia did and I think many other institutions do likewise.

There also was the catalog, but the catalog was arranged on the Anglo-American law idea and that meant a conversion of foreign law institutions into Anglo-American sub-heading terms, and that just is a very difficult thing to do. Foreign law concepts, unfortunately, do not correspond to Anglo-American law concepts. In addition to which I think that a research worker just naturally goes to the shelves and he likes to see a classification on the shelves as well as in the catalog.

Dewey Classification may be perfectly satisfactory for a large library, but I don't think it works for a law library. It is based largely, as you know, on a geographical principle.

I remember the experience I had with Egypt. I was interested in Ancient Egyptian Law, but I discovered that 349.62 was the Egyptian numeration — and Columbia had a fairly large collection. There were Ancient Egyptian, Ptolemy, Greco-Roman, Coptic, Arabic, the Turkish and the modern Egyptian law, all within the same number.

Now, that might be perfectly all right to somebody who was interested in the territory of Egypt, but that had no regard whatsoever for historical sequence. I mean, there was no relation between most of these legal systems.

I also mention that the Dewey Classification led to the fact that in many of the foreign sections, you had huge masses of work with the same class number, of course, with the different Cutter indication.

As a result, I suggested to Mr. Price that he let me try a sample classification of the Roman law materials. We did this at that time: We had it on the books themselves, inside the cover in pencil, just to see whether it would work out, having no idea at that time of doing the whole job until we saw whether it was satisfactory for one group. Numbers were assigned and an outline was made up, on which I will go into more detail later—numbers were assigned to the books and the whole thing seemed to work out. It had the further advantage that I was interested in Roman law and I was interested in the Roman law of the ancient times. I was not interested in medieval Roman law, so I cut out the large quarto tomes that spoil the shelves. I mean, I don't have to worry about big and little books if you cut out the medievals, because

most of it, as you know, are in the regular octavo format.

Luckily, Mr. Hicks had purchased a large collection of medieval works, known as the Crispi Collection and had not been cataloged as yet, and here was a chance; and so with my modification of the outline that I had worked out for Roman law, we were able to classify, according to scheme, this collection, which was largely ecclesiastical law.

At that time, which was about 1933, it was decided to embark upon reclassification of all foreign law books in Columbia Law Libraries, and over the course of the next seven years, largely with the help of Miss Bassett, we completed the classification, the reclassification of the foreign law books of Columbia Law Library.

That being done, I suggested to Mr. Price and to the members of my faculty that a classification could be made of Anglo-American law. I drew up a draft outline, which I submitted to the faculty and comments were received. Whether I would have had time to proceed or not, I don't know, but the war came on and I had a heavier teaching schedule and nothing has been done since. I don't think that means nothing will be done, but that is where it stands at the moment.

As a result of the study that we put into it and the experience in actually classifying or reclassifying the foreign law volumes of Columbia Law Library, we worked out a classification scheme that is quite—or is fairly different from others that I know of; has two basic elements, and once we have those two elements clear, I think we have the whole of the classification scheme. The first is, it depends in the main on the legal system. The world knows or has known several scores perhaps of distinct legal systems. Some of these can be grouped together. In any event, the lawyer and the research man thinks of a legal system.

Now, he normally thinks in terms of the Anglo-American legal system, but if he is a foreign lawyer or a man working in research in the foreign law, he will think in terms of that legal system. It seems to me that that forms the basic element for classification in a law library.

The second element, basic element, that I think is necessary in a classification is, that having worked out that these 25,000 volumes belong in this legal system, the next sub-division is the subject matter itself, the legal subject matter. Of course, we know that as lawyers and as librarians that that is how we catalog books, but the foreign legal systems have worked out more or less along a logical arrangement of the subject matter of the law. This is not, as it is sometimes thought, the immediate result of Roman law. The Romans themselves, Roman jurists and the Roman law did not work out a logical system of organization of legal terms. That was done in the medieval period, in the late medieval and the natural law period, and has, as a result of that, spread through the European systems and all through the rest of the world.

American lawyers are not quite so familiar with the logical organization of the law, but there have been attempts at it.

Of course, when you pick up a sepa-

rate topic, everyone expects a logical arrangement of the materials.

That is, the old case books, at least you used to start out with the elements of the subject and work through. You started out with Offer and Acceptance in Contract and you went through the Contract and brought in the various devices and the various institutions. More modern case books may depart from that, but at least we know logical arrangement, general species, and I have proposed that that should be applied to a classification.

With those two basic elements, you add the necessary indication of the individual book, by author, using a device like the Cutter system, and then, of course, all the other devices or form divisions or copy numbers or anything else that you desire. I would like to add to that a semi-classed catalog. I don't want to get into too much discussion of the catalog this afternoon.

Now, to go back for a moment on these two basic elements, to give you an idea of what I think it included: The volumes in the law library are largely Anglo-American law and include more or less foreign law, depending upon the extent of the library, international law, a certain amount of non-legal material. But for purposes of classification, I would add to those three, that is, as I say you will see in a moment, non-legal goes into one of a group of more or less universal character, which I call "general," that is, to take care of situations in which books treat of more than one legal system or treat of legal systems in generality; and finally, every librarian has to take account of special collections. You can't help it if somebody gives you a collection that has to remain in the bookcase and can't be split up in the rest of the library. From the research point of view it is of no value whatsoever. We have a Kent collection; we have a Johnson collection. From my point of view, they could be discarded. They are very nice when the alumni come around and you want to raise a little more money for the building.

So that I have five major groups, a general, Anglo-American, foreign, I forgot to mention international law, which is a group of itself, and special collections.

The general group is more or less universal in character and it contains within it certain sub-divisions. Some books in law transcend more than one period. They extend from ancient through medieval into modern times, for they start from medieval and they come down to modern times. I call these "legal history," and using symbols to indicate legal systems, this would be my symbol—G H, General History.

Another vast group of volumes in the law library has to do with legal philosophy and jurisprudence, which cannot be assigned and should not be assigned to any one legal system. Now, there are jurisprudential works and there are philosophical works which are directly related to German law, to Anglo-American law, to French law, but I am talking about the ones that are general in nature and concern all legal systems. These jurisprudential books or legal philosophy books, I classify or would class in G J, it is a

separate group, and assign the symbol G J, for jurisprudence.

Finally, there are those books which concern more than one legal system, namely, comparative law, and for purposes of Columbia—and I think it is wise in the application of a classification such as this, that comparative group should be limited to comparison of modern legal systems. I had in mind throughout this classification the ease and aid that the user of the book would receive. In other words, the man who is working in modern comparative law, and most people working in comparative law are working in modern comparative law, does not wish to be bothered with ancient comparative law. He is not interested in a comparison of Greek and Roman law and there are many of those books in a large law library. He is interested in a comparison of French, German and Italian law, perhaps, with the Anglo-American. So that the comparative group,—G. Comp. or leave off the G, as we do at Columbia, Comp, comparative, contains works in modern foreign and Anglo-American legal systems. So much for the general group. It is an artificial group, but it has to take care of a vast amount of books that would otherwise be scattered through a law library.

Anglo-American law, as a legal system, needs very little definition, although some questions do arise. South Africa, Quebec, the ancient Welsh law, are generally classed within Anglo-American law, I suppose, in most libraries, and I would favor that. I would follow the principle of inclusion rather than exclusion in consideration of the Anglo-American law system. But a thing like the Philippines, before the American occupation and subsequent to its independence to my mind, is not Anglo-American law. That falls in the foreign legal system.

So, also, for example, Hindu; the Anglo-Indian law is English law, but Hindu law is not English law and does not belong in an Anglo-American collection.

The third large group is the group of foreign law, and this is broken up into five subdivisions: primitive law, ancient law, medieval and early modern law, theocratic legal systems and modern foreign legal systems.

Primitive law is a group of law that is quite different from the rest of the foreign law. It is easily understandable. I mean, it is well defined—no difficulty in discovering what are primitive law books. Columbia has a sufficient number so that we have further sub-divided into the nine areas that the anthropologists and ethnologists pick out as the leading areas in primitive society:—European, Asian, African, North American, Central and South America, Indonesian, Australian and Melanesian, Polynesian and the Arctic Region.

I assign the symbols Pr, and in the case of these nine, Pr 1 to 9, for these nine elements. Of course, all the way through, you can understand that subdivisions such as Pr 1, 2, 3, are not necessary. You can group the whole thing as a legal system and call primitive law a legal system without differentiation.

The remainder of the foreign law is largely chronological in character, ancient law, which has its sub-divi-

sions, some of which may be familiar to you, and others not so familiar.

We have at Columbia adopted seven, and all those that are not in the seven are grouped in the general heading, A-Ancient, as long as a comparison between two ancient legal systems would be found in A.

The Chinese, up to the time of the foundation of the modern state, was known as cuneiform law, that is, the inclusion of all legal systems which use cuneiform character, the Assyrian, Babylonian, Hittite and many others; law of Ancient Egypt, law of Greece down to the time of Alexander, then a Hellenistic legal system, a combination of the oriental and the Greek elements led to a new culture and a new legal development; and the law of Ptolemies; and the law of Greco-Roman Egypt is quite different from the law of earlier times, and we wish to differentiate that. The chief element, of course, is the Roman law and by that I mean the Roman law of Roman times, down to about 1,000 A. D., in the western portion of Europe, and somewhat later in the eastern portion of Europe.

So much for the A-Ancient group.

The medieval group of the foreign and the early modern is, I think, a lucky find on our part, because we are enabled thereby to take out of its collection, as I stated earlier, books that are unwieldy, books that are very seldom used by most people in the library, books that can be stored in the farthest corner of the library, if necessary—they are at Columbia—but nevertheless form a composite group.

The fusion of the Germanic and the Roman elements in western Europe led to what scholars undoubtedly agree is a general European law. That is M. There was one element, known as the Germanic Law, and that is a group in itself. It extends down to the division of the Charlemagne Empire in 888. That is a group, the German law, M A, I call it.

Finally, as a separate group, there is the revival of the study of Roman law, 1090 to 1700 or 1800. It is quite different from Roman law of ancient times, because in A-Roman, which is the ancient Roman law, I would put all the books of the original source materials and the modern, that is, 19th and 20th Century commentaries upon the Roman law.

We are studying Roman law today for Roman law and not because it was living law of the people of Europe. But in the medieval times, Roman law came to be in time at least the basis, the subsidiary law for most of western European nations. That is M-Roman. That is quite a different thing and therefore has a class of its own.

And there are the rising national states, Belgium, France, Netherlands, Italy. The law of Belgium, France or Italy, up to the time approximately of the Code Napoleon, is quite different and has no relation to the modern law of Belgium, France, Italy, Netherlands or any of the other countries; and a research worker would be gratified if the librarian separated the older books out of the group and left him with what he primarily wants, the modern stuff. He doesn't want to go back of the codes. So consequently, M.Bel, M.Fr, M.Ger. are groups that can be built up. I don't care if they

contain three, four, forty or fifty books. You can get those books out of the working foreign-law collection. So much for the medieval material.

Many libraries won't have any of it or very little of it, but the large library does have a lot of it, and formerly—at least it did at Columbia—this got in the way. A person working in the medieval could not find his way one book in fifty.

The theocratic legal systems are easily definable. They are the four, ecclesiastical, Hindu, Jewish and Mohammedan. The ecclesiastical includes both the Roman Catholic and other Christian faiths. Those then are four legal systems of themselves, leaving us then with the foreign group, with the modern legal systems.

This is an ever-changing group. Every nation has its own legal system, according to this classification. The colonies, however, are included with the nation, so that Netherland Indies, is part of the Netherlands collection, as well as all the other colonies along with the other countries.

These modern foreign legal systems, for the most part, date from the Code Napoleon or shortly thereafter. It is not so difficult to find a date for each one. They are roughly around 1800. The only two groups that date earlier are certain Scandinavian and Slavic countries, where the codifications are quite early, and in those cases, Denmark and Sweden date back beyond 1800.

So that as a classification I have Afg for Afghanistan; Alb for Albania—and I am not going through the whole list, but it goes all the way through, whatever you want.

We did make a differentiation in Russia, because I feel that the legal system of Soviet Russia is quite different from the legal system of Czarist Russia, and therefore we have Rus and Rus.S. for the Soviet.

One other trick was to gather the Latin American material into one by assigning, perhaps unfortunately – we use Sp when we might have used L. We used Sp because we wanted to bring it in shelving next to the Spanish collection. We used Sp. A. for Spanish American Law, and for Latin American Law, or Sp. Ar. for Argentine law, Bol. for Bolivia, and so forth, so that our Latin American group is all together.

Certain of these foreign systems, of course, pass out of the picture. Latvia, Lithuania, Ethiopia, while others are created, Indonesia, Philippines, and so forth. This is a changing thing, to take care of the system as it arises, and there is no difficulty in creating new terms to fit the legal systems.

The fourth element that I spoke of was international law. It is a legal system all its own – I am speaking of public international law only and since it has an effective classification, although, unfortunately, the classification extends beyond public international law, I don't think it is necessary to include it within this classification. There is, as you will see shortly, a place for it, but I would not advise and I haven't advised Columbia to adopt a reclassification of the J. X. material. I do know that most libraries have had to make quite some modifications of the J. X. scheme to fit their own needs.

The special collections has nothing,

of course, to do with legal systems, but you have to take care of them. This does not mean collections like loan desk or reading room.

I am completely opposed to the classification of books for location. In other words, if you want to have books at the loan desk, it seems to me that the system evolved at the Columbia works out perfectly well. The normal books use a short call card, or whatever you call that card and the books at the loan desk have a long one, so when the book comes back, if you have a loan card it stays at the loan desk.

It seems to me that a permanent reserve collection is bad. It means more work for the cataloger when you change the books and when the new ones come back. Whereas the temporary reserve can be worked out in other ways than by using symbols to indicate a collection.

We have, however, collections like the Johnson collection, the Kent collection, and, of course, you have a treasure collection or incunabula.

So much for the first basic element.

The second element is the subject matter, a logical arrangement of law material. One of the aims to be achieved is the fact that if you work out such an arrangement, the same sort of law material will have the same indication in all legal systems. Therefore, I employ a numerical and enumeration of approximately a thousand – possibly a thousand or more – numbers to be used for the outline that was prepared. The outline is a composite of all legal systems. It started out on the Roman basis, because most foreign legal systems are based on the Roman. But it has changed considerably, and I think it takes care now of any existent or future legal systems.

The numbers assigned in three digits would therefore correspond. In other words, 530 is the law of sales. If it is Ger - 530, it is the German law of sales. If it is 530 - AA, it is the Anglo-American law of sales, and throughout the system.

Therefore, you have uniformity in that respect.

Also, this numerical system takes care of the non-legal matter that is in every law library, and I think the law library has to take care of that in the classification, so that it is usable for the lawyer or research student in law.

There are ten major groups, which I have assigned in numbers 000 with the general and methodology of law; the 100 group is the sources of law and legal history; the 200, jurisprudence and non-legal material; the 300, private law treatises and the law of persons; 400, property and succession; 500 group is obligations; 600, commercial law; 700 group, civil procedure; 800, criminal law and procedure; 900, public law.

Now, I can't deal, of course, on this at any length at this time, but those merely are a few points and for the rest, I refer you to the survey of the classification that has been mimeographed by Columbia University.

For example, 660, let's say, Labor Law; 661, Labor Law-Nature; 662, Labor - Contract; 662.5, Labor - Contract-Apprentice, the apprentice contract in labor law; 663, labor-employe protection.

Now, that illustration indicates the method of presenting the topic that the cataloger has, because at the same

time as giving the classification, it gives you your sub-heading for your semi-classed catalog that we use.

It indicates also the illustration and the use of the decimal for expansion of the one thousand numbers; and we have found it necessary to expand considerably over the one thousand numbers. Point five to point nine decimal have been reserved for the expansion of this system.

The outline is general, but nevertheless not identical for all legal systems. That is understandable. So that, for example, although the number 120 is reserved for codes in the modern foreign legal systems, 120 would be the corpus juris in Roman law, since that is the primary code; it would be the Talmud in Jewish law, since that is the primary code; it would be leges in medieval Germanic, because that is the primary code, and so on.

Numbers, particularly in the source material, the one hundred group, differ according to the legal system. One further point to be noted is that there is a relation between the one hundred and the two-hundred group — one hundred and ten is Statutes; two hundred and ten is legislation. That is, the actual source material is in 110; the discussion of Statutes in legislation is in 210. 120 is Codes; 220 is codification. 150 is Reports; 250 is Case Law. That carries through the one hundred and two-hundred group pretty much.

Now, we have employed form division or decimal division. As I have indicated, points five to nine are supplemental, but in addition we utilize other form numbers: .01 to .04 is time division, sub-divisions of periods of time; .05 is indexes; .06, bibliography; .1, periodicals; .2, Statutes; .3, reports, rulings, digests; .4, local, which enables us, for example, in the case of 660 - 660.1 is a classification of a periodical, as devoted solely to labor law. It is taken out of the class of periodicals, which is 030 in the foreign legal systems and put at 660.1, because anybody that wants to use that periodical, wants it to go with the labor law books. He does not want it in the general periodical collection. And as far as your page boy is concerned, he can find it just as readily under 600.1 as he can under 030, or under P.

Now, the bibliography, the indices and records can just be classified with the special subject matter they refer to. The .4 is part of our local variance within a given legal system. So, for example, 400 is property; Ger-400 would be the German law of property; 600.4 would be local property law; and I have further sub-divided — 43 is states; 45, cities and 47 colonies. So that with the Cutter number to indicate the particular state, city or colony concerned, so that 400.43 P is a book on the Prussian law; Ger - 443 P is a book on the German Prussian law of property. So, Neth 400.47 P, is a book on the Netherlands Indies law of property.

Now, the reason for that is that the Colonial law to a large extent, reflects the mother country's law, where it does not reflect as in the case of Indonesia, for example, the primitive law. And it is not classed in the Netherlands' collection at all; it is not modern foreign law; it is in primitive law. It has no business in modern Netherlands or modern Netherlands Indies

law, but for the most part, you will discover that the French codes in the colonies and the French laws in the colonies correspond to the French laws in the mother country, and therefore, properly, ought to be allocated to the same place.

One further element in the Local is that I have not used the .4 in major categories where we have a good many local books, namely, source materials, legal history and general treatises. In those we have used the actual numbers, 183, 185, 187, for state, city and colonial; or 193, 195, 197, for the history in those elements; or 303, 305, 307 for general treatises in those elements.

Now, I don't think it is necessary to go any further into the individual book, because I think that Miss Bassett, in her cataloging manual has indicated perfectly well the devices that can be employed in the Cutter enumeration to indicate the particular book.

I am not going to take any time either at this moment — I hope there will be some questions after this discussion, because I would be happy to answer any of them and to lead to further discussion—on the semi-classed catalog, which we have employed at Columbia University. I think it is a must where you have a foreign law collection. I don't think it is absolutely essential or particularly valuable in the Anglo-American collection, because the American lawyer goes directly to his topic. Not so the foreign lawyer; he thinks, "Commercial law, what is this commercial law?" Then he goes to the next topic within the commercial law, the sale, and then in sale, to warranty. He would never think first of looking for warranty. He works that way because of the arrangement of the codes. He works that way in a catalog. Therefore, a semi-classed catalog is an essential, it seems to me, in all Anglo-American material.

But I would rather spend just a few moments on the application of this classification to the Anglo-American law. After we completed our study — our reclassification of the books in Columbia, I made a study of the various classifications that had been attempted, Terry, Pound, Kocourek, Ulrich and some others. I looked through many of the standard works to see the table of contents, Blackstone, Jenks, Kent, Williston, all of the restatements, all of our case books at Columbia, and tried to see what was the logical arrangement of legal subject matter, as far as the American law was concerned. I looked also at the Yale Library, the Library of Congress and Tommy Dabagh's classifications for what ideas I could get out of them at that time.

The legal system is simple to define, the Anglo-American legal systems, save for those few cases that I indicated earlier. The evolvement of an outline was much less difficult than I anticipated. I made the outline without regard to the foreign first, and then when I compared it with the foreign, there occurred only ten or twelve major changes that were necessary, because of the nature of Anglo-American law as contrasted with the general civil law of the rest of the world.

For example, 420's are used for trusts, that is, not trusts, because there is no such thing, of course, as trusts in foreign legal system. Some of the property has changes; in the 610, business organizations, corporations and so

forth. It is somewhat different from the foreign law systems, and, of course, 910, in the constitutional law category, is quite different. But that doesn't harm any, because you see, if we use those numbers for Anglo-American law in 910, that means 910 in foreign law, in foreign legal systems, that is their constitutional law, not ours. But the number really corresponds.

It was possible then to work out a thousand-number system, or an arrangement, a logical arrangement of the material, and assign a thousand numbers or less than a thousand, much less than a thousand, but with possibilities of expansion of that number to the Anglo-American law; and for the time being I suggest that we do not attempt a reclassification of much of the material. That, it seems to me, is already adequately classified in various libraries, namely, bibliography, periodicals, the source materials, the reports, the cases, the statutes, the constitutions, your local materials or your civil or criminal trials.

The reason I say that not necessarily now, is because I think there is a vast need to do another job, and that is to classify your treatises. I think the condition, when I found 25 shelves of Smith — and I still find 25 shelves of Smith in Columbia law library — is just horrible. How can anybody find what he wants on the shelves or even in the catalog? After all, you don't know all the initials of the Smiths you are looking up, and I think it is quite difficult to locate a book in the Anglo-American treatises unless I know beforehand the name of the author and the title, and I am not interested in finding books that way. For those books, I can call up on the phone. I don't have to use the stacks. Of course, most of the professors work that way. What about the time he wants all the books on commercial law and he doesn't want the books that aren't worth anything. He says, "I want to look at the books." You have got to get all the books together and then he tosses away 90 per cent of them and he says, "This is the 10 per cent I want." Whereas, he can send his assistant down or come down himself and find books if you have them arranged, at least, that is what I want, and I still think whatever argument you can have for, there is just as much against a simple author classification, for it is a classification, don't forget. It merely means that you have a long Cutter number instead of a number elsewhere.

Well, at Columbia then, we had this problem of the numbers I suggested leaving out, because I think they are classified elsewhere. But for treatises, you can see there are libraries which have just a few books in any given subject, and you may ask, "Isn't your classification much too complex for a small law library?" Why, I think that could be answered two ways: Perhaps it is too complex, but a cataloger who is doing a good job has got to find the subject matter of a book, and once you find out a subject matter of a book, it seems to me you might as well assign the class numbers immediately. If you don't find the subject matter, I don't see how you can work out your sub-headings. So that if you find out it is Sale, why not assign the number 530? That is all you have to do.

Now, of course, you can on the other hand simplify this system completely and you can say, "All books on all

types of obligations are in the 500 group." We Cutter them by the author – incidentally, you don't need any legal system for the Anglo-American if you use it for all others, so you don't have to put AA. All you have to do is put 500 and your Cutter number would be sales, leases, as well as all types of securities, all types of obligations, agreements that you want to talk about.

On the other hand, it seems to me just as simple to utilize the Form 530 immediately. Catalogers have said – and I suppose for the catalog, in principle, you don't classify unless you have a sufficient number of books to warrant a group. I never saw that. I mean, I don't know what is behind that. I would be perfectly satisfied to know and I would be interested in seeing that I have representation in Anglo-American law, 510, 20, 40, 50, 60. But I haven't got 530 and it is time for me to go out and buy a book in 530. Somebody is going to ask about a sale. So that I think that it is possible to utilize a classification such as this in an Anglo-American law library, large or small. I think it has the added advantage of being easily correlated with an adequate table of sub-headings, such as we have in Miss Basset's book.

If you have an elaborate table of sub-headings, and you work out a sub-heading list of ones having that, and assigning numbers to those sub-headings, there is nothing to it, from the point of view of the cataloger.

The value of a classification, I think, depends on the generality of its use. As far as I am aware, there is no general usage of any classification in Anglo-American law at the present time, in the private law portion. I don't suppose that the Columbia system will be adopted in many places, but I think that some sort of system along these lines or similar lines should be worked out and should be put into effect in most law libraries.

I think it would do a good deal toward exchange of books between libraries, and I think it would help a good deal in the work of legal research scholars.

It all comes back in the long run to an argument as to whether classification is necessary for treatises, and I think my views are perfectly apparent. I would be perfectly free to hear from someone else who doesn't believe – I understand last night – there was someone who doesn't believe that classification is necessary in a law library.

Thank you. (Applause.)

THE CHAIRMAN: I am sure, Professor Schiller, that we are all extremely indebted to you for your exposition of law-library classification.

As you intimated, there are few law libraries today that operate on the same type of classification. Some apparently have none; others have extremely simple systems of classification. Others have developed classifications which may be more detailed than necessary for their present collection, but with the thought that eventually those collections will grow and it will simplify the process of expansion.

But I think a great deal would be gained if there were more uniformity in our classification systems.

Now, we have just a few brief mo-

ments for possible discussion or any questions that anyone may ask Professor Schiller, in connection with his classification, or any thoughts which you might like to raise. Is there anyone that has any question?

VLADIMIR GSOVSKI (Library of Congress): I would like to make a few comments for a particular reason: I have the honor of being in charge of the foreign law collection for the Library of Congress, which, naturally, is one of the, I think, unquestionably, the largest in the country. My general reaction is that Professor Schiller is on absolutely 100 per cent sound ground as far as foreign legal material is concerned. It is true that a leader in foreign law mostly does not know the book where he is going to find his information, but he knows the subject; he knows the problem. Therefore, any subject classification is a great help for one who does research.

The second sound principle, is that every country has its own peculiar characteristics, and these peculiar characteristics must be kept in designing the classification scheme. It is absolutely impossible to design one universal scheme which will fit France, Germany, Italy, Russia, and so forth. The whole idea is to have a flexible scheme which would reserve certain symbols throughout the countries, designating certain subjects, and that, again, is absolutely sound.

As a matter of fact, for countries which are using other alphabets, Latin and also some Slavic countries, we have introduced a system which is based precisely on those principles, which you have expounded. The only difference is that we didn't make any attempt to have it according to a decimal system.

Now, this question of decimal system, it doesn't serve in numerical purposes and it is very difficult to subdivide into ten. We just used arbitrary numbers, but some numbers are similar, such as 800 – criminal law.

Now, the question arises whether the same system should be followed for Anglo-American law, and this is my question: All your approach is the approach of a professor, or of a man who does the research. It is not the approach of a student. I believe that the great number of readers in the law libraries are students. Now, a student, for the most part, knows the book he is after. That is his text book. May I give you an example: I was in the law library of Congress one Sunday and there were 220 readers. There were two assistants who were sitting and occasionally helping. Why? Because the reading room is so simple that everyone goes to the shelves and gets the book he wants. I am afraid that if the Anglo-American treatises will be somehow classified according to subjects that it will distinctly require more service personnel on the part of the law libraries.

I think that this system is very sound for big research libraries. I have serious doubts as to their necessity, as to the necessity of such an elaborate system for libraries which primarily serve the students.

I have only one more remark. When you said that according to the political change, then we adjust the system, here I permit myself to disagree. I think, for classification purposes, the country must be conceived geograph-

ically. Then it stands. The code of Napoleon, as introduced in the Rhine provinces, is the law for the Rhine provinces. In other words, if you conceive the country, geographically, at a certain arbitrary point, say, between two wars, World War 1 and World War 2, and then whatever law is introduced in that territory, it belongs there. In other words, if the country is conceived for the purpose of classification as a geographical unit, it solves the problem.

Thank you. (Applause.)

PROFESSOR SCHILLER: One question I would like to ask, as regards open shelves, were those books on the open shelves treatises or text books?

MR. GSOVSKI: Everything. You see, it is a pretty large library and there is also a selection of standard continually used treatises.

PROFESSOR SCHILLER: But not all your books.

MR. GSOVSKI: No, but the rest, of course — but this is all — as I say, I am, with all my soul and body, for the classification of foreign law materials.

PROFESSOR SCHILLER: But it seems to me that the same thing applies in the Anglo-American material. It merely means that when Carl Llewellyn starts giving a course, as he is now giving, in commercial law, he is not talking any more about bills or negotiable instruments, he is talking commercial law; and there is more and more Anglo-American law to talk about in larger categories and larger concepts than we used to talk about. I think, as that happens among professors, so it will happen among students.

With regard to the geographical point, I am afraid I must differ, because I think that the sample I gave, of Egypt through the centuries is just as typical today. In other words, you would say there was a Latvia; that we had Latvian law; that whatever laws are promulgated in the Soviet portion of Western Russia are not Latvian laws. It is impossible, because you can't tear a book apart to pick out what part is Latvian and what part is not Latvian. If you are willing to change that every time they were to change, I agree.

MR. GSOVSKI: No, we have to change nothing. That is what we did, for instance, for Poland.

PROFESSOR SCHILLER: Now, suppose Poland is absorbed by Russia and ceases to be Poland but a back part of Western Russia, what happens? Do you still classify new books as Poland?

MR. GSOVSKI: It still goes where it belongs, to this Polish territory. If it deals with this territory, it belongs with the territory.

PROFESSOR SCHILLER: If it deals with that.

MR. GSOVSKI: You see, we must realize one fact, that civil law, private law, has a tendency to be persistent. The code of Napoleon, once introduced in Poland, survived Russian imperialism, survived new Poland and up to the present time, only recently, it was almost abolished.

PROFESSOR SCHILLER: It was abolished elsewhere.

MR. GSOVSKI: So you see, you have also — you take into the local group, local laws. If there is a local law, put it there; if it is a general law, under a new legal system, then it stands with your general category, where your general category is.

MR. PRICE: I think, for the benefit

of most of our readers, for the benefit of the most of our listeners, I am going to take this out of the foreign law fields for a moment and answer for my own satisfaction only, I expect, Mr. Gsovski's remark about open shelves.

It is distinctly my impression that he and many others who oppose the use of a classification on the open shelves have very sadly under-estimated the intelligence of the users of the library. I have in mind specifically a branch of the New York Public Library, in the general library building at Columbia. That is arranged according to Dewey classification, which covers everything from philosophy on up to history. The readers in that library are, for the most part, not university people. They are residents in the community. They come in there and they find out what they want. If they want something on sewing, well, they know where to find it. If they want figs, they know where to find it. If they want something on music, they go and find it. They don't have to bother about the intermediary of a catalog. They go there and there it is. They know how to do it. They have no trouble. It is just like going into Macy's department store — it has got two million items. If a girl goes in there and she wants to buy a pair of nylons and some hooks and eyes — if they still use those things — she doesn't start at the basement on Broadway and go to the 8th floor on Seventh Avenue. She knows by experience that materials in a department store are arranged according to certain classifications and with her eyes shut she can go in and in no time find everything in that store.

Now, so much for that.

I think that we underestimate the intelligence and receptivity of our users when we say they can't do it.

Fred Rosbrook, up in Rochester, has a library of some 75,000 or 80,000 volumes; and some years ago he reclassified, and he said that the big demand over the years — and not on his own initiative — is for treatises.

I asked him where he got his classification, and he said, I suggested it to him. It must have been in a dream, because I have no ideas and I certainly don't remember. But he says that the attorneys and the judges would not go back to the old system. They can find what they want in a hurry and it works out for everybody concerned, which, of course, is the thesis of Mr. Wire, who was for many years librarian in the Worcester County, Massachusetts Law Library, which is his repeated assertion at these meetings that the attorneys and others, other users of the library, once they had a classification, demand it.

Now, I said I sat in the driver's seat more or less on this, because I get probably on the average of once every couple of weeks an inquiry from some librarian as to subject classification and treatises. Now, those demands, contrary to what Mr. Simpson said yesterday, are not initiated generally by the law librarian. Those demands are initiated by the faculty, as happens in Columbia, or they are initiated over in Akron, Ohio. They are initiated by the people who use the library and realize that today, where you have got one book on contracts and another on sales and another on torts, that day is passed, and you don't have that kind of material in a public library any

more, exclusively. You have all sorts of things. You have all sorts of economic material. You have legislative intent; you have the material issued by the trade associations, covering certain very distinct legal terms.

You have either got to have that stuff together, you have got to know the author or you have got to go through your subject catalog, and chances are, you have got to do all three. But if you can find that stuff together, why waste your time on the other? It will end most of your questions very quickly.

The lawyer is trained in the law. He knows how to use a digest, because he knows how to think in terms of legal concepts, and these books he could find in the same way.

MR. MARKE: I was very happy to hear Professor Schiller's defense of classification. At New York University, as you no doubt realize by now, as a result of Professor Simpson's speech yesterday, we have a classification system for treatises. It is slightly different in notation and nemonic effect, but it is very similar, I believe, in theory to Professor Schiller's outline.

We have actually classified the Anglo-American collection at New York University. I would like very much some day for Professor Schiller to come down and see it.

Now, we do have a definite class of professors and members of our faculty who do not like classification. Professor Simpson told us that yesterday, emphatically. Some I have objected to. We have argued the case and we find to our great satisfaction at New York University, that it is a very simple matter to administer our law desk despite the classification system.

However, students know, if they are interested in contracts, or our professors know, if they are interested in contracts, that all they have to do is merely go to K M 25 on our shelves and there are all our books on contracts. If they are interested in labor law, we have a classification set up for labor law, and not only for the law, but for non-legal material, which would be very similar in nature and where often you can't find a distinction in the books between labor law or what we may possibly call "non-legal." Those books are all kept together in an inter-related system on our shelves, and I know how a faculty — it is only a question of education — either they know their breakdown and they usually do, and then all we have to do is to go to a few numbers on the shelf — there may be one, two, three or four numbers there and they are happy to do so, because, as you know, the average attorney and the average professor, the average scholar, does not want to use the catalog. No matter how fine your catalog is, they don't want to go through all those cards. They want to see those books, as Professor Schiller indicated. They want to see them and pick them out as they see fit, and if they don't know too much about their subject, we ought to take care of them, too. Let them come to the shelf, find books they want on their own subject.

Therefore, I must say, sir, I was very happy to hear of your defense.

MR. MCNABB: I don't want to take issue with Professor Schiller on the

classification, but I would like to suggest that it isn't as easy as he makes it sound.

Just to bring the discussion back to rather a more common intellectual level, one of the reasons it isn't easy is because I expect that most of us do not know as much about the subject perhaps as Professor Schiller does.

I know of one library that has started out with probably one of the best thought-out classifications, and at the time it was started by a very well known professor. I am not going to mention his name because the present librarian happens to be sitting here. If he had had the job of administering the classification and assigning the books to it, I have no doubt that today it would probably be one of the best classified libraries in the country. However, the classification job was assigned to a lesser intellect and the net results have been, as was described today to me by the present librarian, who, incidentally, had nothing to do with it, as being wonderful. Now, what he meant by "wonderful," you can only guess. I know that if most of my readers spent as much time in my library as my wife spends wandering through Field's — and Field's is not a very small store either, by the way. It is not quite as big as Macy's. They could find things, too, in the dark, with the light out and blindfolded, but most of them don't want to do that.

Now, I do know that classification isn't easy, because I have tried it. I have been trying it and I am still trying it and I intend to keep on trying it.

I have some problems. I do a lot of cataloging besides. Beside classifying, cataloging is very simple. It is simple merely because of the fact that cards are cheap, and if I run into a proposition where I find a book such as Montgomery's "Federal Taxes on Corporations," that doesn't worry me; I have no trouble in putting a card under "Corporations," as the subject, and I have no trouble in putting a card under Taxation, or I can break it down under Income Taxation or any other subject that happens to occur to me. But I don't have money to buy more than one copy of the book, and it just so happens that we have a committee which sponsors and pays for a rather complete collection of books on corporations, and if I happen to charge the book off to that committee fund, I must of necessity classify the book under corporations.

Now, that doesn't seem to jibe with Professor Schiller's scheme, nor does it jibe with my scheme.

I also have a very large collection on Federal taxation, inasmuch as there are quite a few million people in Chicago that are involved with the Federal Government, more or less, and most of our attorneys have to help them out.

I am always puzzled as to what to do with a book like that. I would like to know what Professor Schiller's reaction would be to it, taking into consideration that my funds are not the funds of Columbia University. I know one answer you might make, "Buy two copies," but I can't always do that.

Now, you can think of a lot of books that would bother you in that way.

I remember one time the head of

this corporation committee made a very violent protest by letter to the Board of Managers that one of the books that they had used as the royalty to support this collection, was not in the collection, and that was the Illinois Business Corporation Act annotated, and I was immediately called on the carpet to explain why. Well, I had a good reason for it, but it didn't appeal to the corporation chairman, the committee chairman. My reason was that in the meantime I had, in self defense – and I want to take issue with Professor Price that the demand for classification does not come in my library, at least, from the users; it comes from me. I am just plain lazy. I hate to go chasing after or send my boys chasing after a lot of books, if I can dump them off in a corner. If they ask me for a subject, I say, "Go and look for it yourself. They are all over there." That is my biggest angle on getting a classification.

Of course, it makes them easier to find, and you can think of a lot of other good reasons; but the reason why this particular book, which, incidentally was supporting the corporation fund, was not in the collection of corporation books, was because in the meantime I had, by the same process of reasoning and trying to save my legs, set up a collection of Illinois material, and I put the collection farther out into the reading room and more accessible, and we had been getting considerable calls for this book; and I merely put the book in with the Illinois collection. Now, I hadn't enough copies to split them, and if I did split them, they probably would never stay split, no matter how I marked them. So I got into trouble that way.

I know that classified libraries, in some cases, are fine and wonderful, but I was just wondering how far to go with the collection. I have about, I think, seven or eight separate classifications, all large and not broken down very small with probably about 10,000 texts, represented in the library, and I would like to know what Professor Schiller's reaction would be to further classifying a collection of that type. In the first place, can you answer my question as to what to do with a book that covers two subjects?

PROFESSOR SCHILLER: The same thing we have to do with the book.

MR. MCNABB: Mr. Price mentioned books on sewing and philosophy. They don't mix those books, but these books on corporations and taxation do mix. What do you do in those cases?

PROFESSOR SCHILLER: The same thing you do; you have got to decide what place to put the books. When you have the problem of finance, and say, this is a special collection and you have got to keep it together, that is something that the library should oppose, as far as possible. If they can't oppose it, just obey orders and, of course, that is not classification any more.

THE CHAIRMAN: Our time is slipping along pretty fast. I will recognize you two gentlemen, that have indicated you had something to say, and then I will give Professor Schiller, as our guest speaker, a chance to make a final rebuttal.

MR. HILL: I just wanted to say that I have listened to the subject of classification for some twenty-five years, and this is one of the most practical presentations that I have ever listened to.

However, I can remember back ten

or twelve years ago, that we started discussing classification one afternoon about this time, and we finally wound up over in a private home still discussing classification. We had chow mein, hot dogs, and all the liquid refreshments; and we still discussed classification. About 10:30, it became ossification, and about 11:30, every asinine one of us was sitting on the floor just listening to himself or herself. So I suggest that we limit this just to questions and not perorations.

MR. SCHMEHL (County Lawyers): I merely want to make a few brief remarks to Professor Schiller, whom I know very well, and that is this: that a good many of us, despite the fact that we are in charge of possibly large collections, have limited staff personnel, and therefore it presents a very acute problem, that is, any type of classication other than that of the orthodox one, with which the legal profession and the student body today are very familiar.

The mechanics of carrying out classification, of course, necessitate quite a large personnel, and that presents a very difficult proposition. If you have a staff of only three or four persons and time is of the essence, and you have a book say, a text book, of which the title is not always indicative of the contents it means that the cataloger can ill afford to spend the time to analyze the contents of that book, nor can the librarian in question expend the time, because of the undue pressure brought upon him by other matters. Therefore, if you deviate from a set policy of the orthodox arrangement, with which the profession is so accustomed, I am afraid that you would have to have the only possible alternative of persuading your trustees or Board of Directors to build up quite a large staff for you, or else you would have to go along with what you have been doing in the past.

PROFESSOR SCHILLER: That is one point I don't quite understand, because as far as I am aware, every law library has a subject catalogue of its text books.

MR. SCHMEHL: I take issue with that. There are some law libraries that have no catalog whatsoever. We, fortunately, are equipped with a catalog which is broken down under two very general headings of author and subject. But there is one law library, and quite a large one, right in this area, that for many, many years has functioned and functioned aptly and ably, minus a catalog.

PROFESSOR SCHILLER: The minute you have a subject entry, you have done, from my point of view, all you have to do for classification. As soon as your cataloger has to spend the time to find out what is in the book, you are through.

MR. MCNABB: There is only one objection to that. When the book first comes in, it has to be classified immediately, if a book is of any importance to the Bar library. I know that a university library can hold up as long as is necessary. However, in a Bar library, those books are asked for days before the book is due on the stand, and the day it is out we have six or seven requests for it. In other words, we must pass the book on to the user immediately. Now, our practice is getting it on the shelves within 24 hours of the time we receive the book, which doesn't give the classifier or the cataloger very much time, and

we make a record of the book and this cataloger subsequently has to find the book to get the subjects, because we feel that the immediate use of it is much more important than the cataloging of it, and should it take a little longer, all right. But if you catalog and classify titles, you have to hold the book.

PROFESSOR SCHILLER: You can catalog afterwards and you can classify afterwards.

MR. MCNABB: What would you do with the book immediately?

PROFESSOR SCHILLER: Let the reader have it, the same as you do.

THE CHAIRMAN: Well, I would love to go ahead with this discussion, but we have another treat in store for us, and for fear that this treat may go stale, not because of presentation that is to be made, but for fear that there may be loss in consumer interest as the days draw along, I would like to go ahead with our program now.

I think we are extremely fortunate to have with us today Dr. Luther H. Evans, the librarian of Congress. Those who were in Santa Fe last year will recall that we had a very lively discussion one afternoon, in which we discussed a number of matters relating to the law librarianship and we had all sorts of resolutions and counter-resolutions and amendments and counter-amendments; and amendments to the amendments to the amendments; and finally the thing was all so confused that somebody very graciously had it all stricken from the record and we started over again. But as a result of that discussion, there was one thing apparent, that when we discussed matters relating to our law libraries in our nation's capitol, including the Library of Congress and the relationship of the law library to the general library of Congress, there wasn't anyone present who seemed to be able to give us a clear-cut understanding of just what the details of these relationships were, of how the program of the general library geared in with the law library of Congress, or vice versa.

Therefore, it occurred to me that the best way to have an answer to that question would be to invite with us the Librarian of Congress, who would be in best position to give us that picture, from the administrative point of view, the overall picture of the Library of Congress.

I wrote to Dr. Evans and he very kindly consented to be with us today. He also assured me that if there are any questions that any of you have in that connection, after he has given his address, that he will be happy to devote a little time to answering questions, if he can answer them.

So, I say it is indeed a real privilege and we consider it a distinct honor, Dr. Evans, that you have taken the time and the interest to come down to address us on the subject of Relationship of the Law Library of Congress with the Library of Congress as such. Dr. Evans. (Applause)

DR. LUTHER H. EVANS:

Mr. President, Ladies and Gentlemen:

There is nothing strange about my accepting an invitation to come to such a meeting and make a speech. I spend a good deal of my time doing it and you could have had me a long time ago if you had exhibited any interest in the matter.

I do appreciate your wanting to

hear from the horse's mouth about some of these things.

The Library of Congress has felt that it was a little bit on the defensive in dealing with you people, and I am glad to have an opportunity to tell you what gives, as far as the administration of the Library of Congress is concerned.

In the first place, the Library of Congress has, during its 148 years of history, always given a high priority to the whole subject of law. That is very natural, and I think quite necessary, because of the fact that the highest duty of the Library of Congress is to serve the Congress of the United States; and obviously, one of the largest demands that come from Congress is for information concerning legal matters, that is, what are the laws of various countries, of various states, local jurisdictions in this country and elsewhere, concerning some matter which is mentioned and which is pending in the Congress. So that although the principal part of the Library of Congress has removed from the capitol to a building across the street, as of fifty years ago, a law library has been left behind in the capitol. The only branch that we have outside of our building is the law library that is in the capitol. That is a recognition of the eminent relationship of our law collection to the service of the Congress.

Many years ago, the Library of Congress adopted a policy of emancipating the appropriation for the increase of the law library from the general appropriation, in order that Congress could deal with the law book and appropriation separately. The result was that Congress vastly increased the appropriation for the law library out of all proportion to the increase of the general fund for books.

Twenty years ago, the Library of Congress appropriations for books was approximately $100,000. The law appropriation at that time was two or three thousand dollars; I forget the amount. Today, the general appropriation is $300,000, and the law appropriation is, I believe, $85,000.

We have always supported that policy of having the two appropriations separately designated for the purposes, and we continue to approve that policy. There was one year in which we asked that the two appropriations be merged for administrative purposes, when we asked for a million dollars to catch up with the back-log of the war years, where we wanted a general cleaning-up and sweeping-in operation with a very big broom and without much discrimination or knowledge of what we were getting until it was received and we had a chance to look at it. In that case, however, we definitely told the Congress that a minimum amount, which was twice the law appropriation as it then stood, would be administratively allocated for the purpose of the increase of the law collections.

The law library, when Archibald McLeish became Librarian of Congress on October 1, 1939, was generally referred in the Library of Congress terminology as a division, much to the disgust of the law librarian and his colleagues. One of the changes that was early introduced into the library and which is now all but universally accepted—we have not been able to root the old practice completely—the law library is always referred to as the

law library, and when it is given—when a general term is applied to it, it is that of "department" rather than "division." There are some people, particularly among the catalogers, who still like to refer to the "law division."

The Library of Congress is broken down into a number of departments, those of the highest units of organization in the library, except for the library itself, and the law library is one of those departments. The others are the Research Department, the Legislative Reference Service, the copyright office and the Processing and Administrative Departments. We formerly had an Acquisitions Department, but we recently abolished that and put the divisions there in the Processing Department. We thought of calling it the Acquisitions and Processing Department, but that became "A and P" so quickly that we couldn't afford to do it.

As regards acquisitions procedures, there have been many difficulties in this period in working out the right kind of administrative and policy controls over the growth of the Library of Congress collection. Some of these difficulties have reflected themselves throughout the library. We have had complaints as to some of our procedures, from all over the library, and we are trying to solve that problem of the right kind of policies and the right kind of procedures, which will give recognition to the independence of the scholars' judgment in the selection of maerial. We have had a great difficulty there, because we have based our policies and our procedures on estimates of additional personnel, and those estimates have been largely not fulfilled by the Congress in actual practice, so that we have been guilty for some years of going along with policies and with procedures which our staff has not been quite adequate to implement. That means that we are going through a process of readjustment of policies and procedures so that scholarly judgment will be allowed to function within the framework, without unnecessary delays or without unnecessary bureaucratic rulings that would override scholarly judgment.

There are two sides to this question, however, and the problem is one of uncommon difficulty. We have set up a system by which when rare books are ordered by any subject specialist, we have a check made to see if the book isn't already in the collections. Now, some people maintain that that is an unnecessary bureaucratic, red-tape procedure, by which eighteen hundred dollar clerks override the judgment of $8,000 scholars. Well, I can report to you that that procedure saves us from buying one-half of the books ordered by our scholars, because we already have them. So the Library of Congress has the option there of wasting half of its money for the older books and buying duplicates, when we already have the books, or of putting some of these procedural annoyances around the necks of our scholars.

I don't know any easy solution of it. Our lawyers have been perhaps as restive under these restraints as anyone else, and I am sure they have broken out at these meetings about this bureaucratic procedure. I have

told our people, who are engaged in acquisitions work, that they must solve these procedural problems so that the scholars do have real freedom to make their choices and to have their choices effective within the time necessary to get the book, rather than let somebody else get it; or else I will authorize the scholars to deal directly with the book trade.

I think that their dealing directly with the book trade in a place like the Library of Congress would be disastrous, because where we try to be comprehensive, we run the full circle of all the possible overlappings of interest, so that the same book might be of interest to the law library, the rare book-room, the consultant in philosophy and perhaps several other people, and they might be competing against one another in the rare book trade. I am sure that that would happen quite frequently if we didn't have a centralized set-up. I think our centralized set-up will work if we can have a little bit more implementation of personnel to get the papers through and into the works rapidly, that is, the outside works, and not keep them so long in the inside works.

We have made some mistakes in the limitations we place on scholarly judgment. We have required—McLeish laid this rule down and I have never changed it—that a purchase of more than a hundred dollars had to come to the librarian for approval. Now, a lot of people blame delays on that, but I have said that anybody who has an emergency case can get me on the telephone and I will give an answer by telephone as to whether the purchase may be made, and I have on many occasions authorized purchases of a thousand dollars or more just by telephone presentation of the situation.

The reason we have to be so very cautious there, in comparison with the Bar Association of the City of New York, or the Harvard Law Library, is that Congress is looking over our shoulders when we spend money for old books, and we simply cannot afford to get caught with a wasteful expenditure for high-priced material, particularly if we already have it, because Congress is looking for nothing in the Library of Congress and other agencies of the government any more than it is looking for wasteful expenditure and inefficiency of administration. I assure you that a number of these things have happened and that they would happen and continue to happen unless we set up these pretty strong controls.

We now exercise no check whatsoever on anybody's request, anyone who is authorized to recommend books or items that cost less than $50, if they are within their allotment and if we find that the book is already in the Library of Congress.

We believe we are cutting down on the delays considerably. We believe that in the last few years the situation has improved considerably. I would even go so far as to say—I wouldn't like this to get back to Congress—that our book appropriations are perhaps greater than our professional staff can spend intelligently at the present time, because of the necessity of their work of judgment and selection of material for the expenditure of the money.

The only way we have been able

to spend the law appropriation recently—and this has nothing to do with the staff outside of the law library—is to buy large collections of expensive materials, largely this old medieval stuff that Gsovski is interested in, where there is a high degree of duplication. That is the only way we can spend our law library appropriation effectively at the present time, and that would be true even if the law library would allow it to deal directly with the book trade.

The reason for that is that as a library approaches comprehensiveness, it takes more manpower and still more and still more each year to find out whether something that is offered is already in the library. That problem gets worse, the more your acquisitions outrun your cataloging. Our acquisitions are considerably ahead of our cataloging ability at the Library of Congress, so that much of the material you have to search through to find whether you have got something is in an uncataloged or in an incompletely cataloged state. We find that the preliminary cataloging is frequently under an author or a title which proves on further investigation to be wrong. So unless your book dealer has done a bad job of cataloging, you would not identify it as being the same thing that you have got in the library already. Fortunately, book dealers do lousy cataloging, so we can tell in most cases that the book is the same thing that we have preliminarily cataloged.

I don't know whether you fully understand our cataloging system at the Library of Congress. We catalog our law books and print cards for them and put some headings on without classifying them, as far as the printed card is concerned. Then we shove them off to the law library and the people up there do God only knows what with them, but they fool around and put some notations on them, and sometimes I think they don't put any notations on them and go ahead and shelve them.

We have been bothered by that whole question of classification, and there has been a good deal of sparring back and forth in the Library of Congress on the subject. There are representatives there of every view that was expressed here today and a few more views also of what we ought to do to classify our law collection. About all we have achieved so far is to leave one of the letters of the alphabet available for developing this classification.

Of course, the people up in the law library do have a system. It works pretty well, they say; it works very poorly, some of my other people tell me and I don't know what the facts are. I do know that there is an unresolved problem there.

McLeish once said in an annual report that it was time the law librarian in the Library of Congress learned he wasn't running a library for a country lawyer's office. There wasn't any law librarian for the law library at the moment, so he wasn't offending anybody in particular.

We have recognized this problem, but we have not thought that it was of such high priority, urgency, that we ought to attempt to solve it immediately, and we have let it rock along without solution or without serious

study, if I may say so, during the last decade, and I suppose you would have to characterize the preceding decade as allowing the thing to rock along.

This discussion today on the subject has been very interesting to me and I am hopeful that this association will join with the Library of Congress in trying to solve the classification problem. We would like to take our case schedule and fill it in, develop it, so that we would have a comprehensive classification system for the law library at the Library of Congress. We are in no big rush about it. We would like to start at the bottom and work our way forward with caution, with all points of view being taken into account. We would be willing to set up a committee that would work on the problem, representing our staff and other law libraries, other groups of expert catalogers, and so forth, and take a period of time to sweat the thing out, so that it would come as close as possible to being universally acceptable.

Now, recently we got in the mail a draft of an elaboration of the case schedule from the University of Chicago, by Elizabeth Benyon. Probably she is here at this meeting. I think she was planning to attend. Our people have taken a preliminary look at that schedule, with a view to its possible publication by the Library of Congress as a manuscript for comment, but asking that this be the basis, for the time being, of consideration of the problem. That is, this would be a draft to which attention would be directed, as a first stage of consideration of this problem.

Now, our people haven't had time to look at this in great detail. They are still working on it. We were asked to return the copy recently, for bringing, I believe, to this meeting. That may prove to be so nearly the answer —I don't know. I would like for you to look into the question and tell us what you think we ought to do.

I think I need not say more than that I personally believe that classification, a classification of knowledge, is essential for adequate library administration. I think there is some point in having one system that covers all knowledge rather than trying to follow the pattern of letting each special interest organize the world around a new point of interest. The medical librarians are taking stuff out of a library schedule for, science library and for various other things and throwing it into medicine. Well, if you want to, you can invent a classification system for medicine or for law or for taxation of corporations that will include the *World Almanac* or the *New York Times*. But I ask, "What is the sense to that, if you have a good pigeon hole somewhere else in the scheme of knowledge, if that scheme is complete, where you can put things?"

The important thing is to put things in a pigeon hole in a classification of knowledge, and then put the shelves that hold those particular things wherever you please. I see no difficulty about having in the stacks a shelf of books in one part of a classification scheme, and next to it a shelf of books in some other part of the classification scheme. Otherwise, every library with a special interest ought to start with its own focal point of

intent interest and build everything around it in concentric circles or by some other scheme of the organization of knowledge.

For instance, we have in the Library of Congress a great Russion collection and a lot of people want to organize the Russian collection as a separate entity. Well, we have refused to do more than give that a good look and have rejected it. We have said, "No, we have got a literature classification and Russian literature is going to be in "Literature." We have a history classification and Russian history is going into History; and we have various other classifications and the Russian segment, properly classified, is going into that.

Now, if we want a Russian reading room, all we have got to do is to pick up the literature section, including all the translations and all the languages from Russia and set it down next to the reading room. Then we pick up the history section on Russia and set it on some adjacent shelves; and then we pick up any other sections that are relevant and set them down near some shelves near your reading room. Then you have got your whole world of knowledge, as far as segments, significant segments of your classification are concerned. I think that can be done for law. I see no reason under the sun why a lot of stuff, that is border-line law, that we classify in the Library of Congress in Economics, can't be shelved next to the law library, if that is found to be the most economical way to handle it, and if that is found to have the heaviest demand.

We have admitted that in connection with international law, we treat it as political science, and we have put that under the administration of the law library. There is no reason why that can't be done in other cases, if the traffic runs that way more than it runs the other way.

Another thing we have done in recent years—and this was not possible until the annex building was constructed—was to give the law library what I believe to be pretty adequate quarters. I say, this was impossible until the annex was built, and it was carried out very soon after we began to reshuffle things after the opening of the annex.

The law library has been given two wings, practically all of two wings of the two segments, great sectors of the second floor of the main building. In one of them, it has installed a general reading room, with shelving for a great many hundreds of books—I don't know how many—right off of the deck space where the books are located. In addition to that, there is a large space given over for advanced students, where they can have alcoves and typewriters and can talk and smoke with one another and delay our staff from getting its work done.

There are places for rare books and scarce collections and that kind of thing; and we have given the law library adequate shelf space. We will have, as time goes on, to make more space available, but I think we can do that by pushing important collections out of the main building stacks into the stacks in the annex. That is not feasible at the moment, because there are uncompleted stacks in the annex, where the floors are more open

and bare than this room, as far as book stacks are concerned, more bare, because you walk on metal rather than on rugs.

There is one bad feature of the functioning of the law library that was present when I got to the library, and that was that the alcove, reference alcove on law, was down in the main reading room. As soon as the reading room of the law library was available, we withdrew that alcove for law and placed it in the law library. So that the general collection reading room does not have a section of law reference books, and we refer everyone up to the law library for those tools.

Also, at that time, the law library stacks were available for access by all the people who had stack access. That included our messengers and deck attendants who could go to the law stacks and take books out from those shelves and have them charged out to the different points in the library. We also abolished that and we require outsiders, who have stack privileges, as well as our own staff, whenever they get a book from the law shelf, to go through the law reading room, so that the law library controls its own collections from any outside pilfering or any outside administration, except for the fact that when books are charged out of the library for outside use, they go to our loan division, where all of our outside loans are controlled, without any exceptions.

I don't know any other significant points that I ought to speak on. There is perhaps one point about the general way we operate at the Library of Congress. We have tried very hard to have a democratic type of government in the Library of Congress. That involves a number of policies. We believe firmly in trying to have the functions of officers and units clearly defined and then give a good deal of freedom of action to those officers and to those units.

That involves a counter-balancing necessary if you are going to have an integrated library and deliver a combined impact rather than a scattered and inconsistent impact, a high degree of unification, as regards the development of policy. And we have dealt with that matter by having the top administrators of the library and a sprinkling on a sampling basis of all division chiefs and of other persons in the library who have responsibility, have them organized into what we call the Librarians' Conference, and this Librarians' Conference takes six hours for its work out of the forty that we are supposed to work per week at the Library of Congress.

These people meet together at 10 o'clock on Monday, Wednesday and Friday, and sit for two hours discussing all of the policies, all of the major administrative problems of the Library of Congress. This means that everybody's business is on the table and everybody has a shot at the problems and the recommendations, whether it is in his field of operation or whether he has any knowledge about it or not; and frequently, our department directors are just as ignorant of one another's business as Congress is of the matters it deals with. So we have here a real democratic body, where all these problems are debated.

That means that the law librarian

is exposed to discussions regarding the cataloging policies, the acquisition policies, the lending policies, the legislative reference policy, the administrative policy, personnel practices and every other conceivable aspect of the Library of Congress administration.

The law librarian is a full participant in those policy discussions. Minutes are kept, and those minutes are confidential. They run about three pages, double spaced, timed to an hour's discussion, roughly. Sometimes there is one line for an hour and sometimes there may be more than three pages. It depends on whether the discussion brought out anything of any interest.

We sometimes go up blind alleys and go up hills and come down again and there is nothing much to record except that there was an hour of sterile discussion.

In that way and in other ways, each of our responsible administrators has a full opportunity to speak his mind and to help in the development of the policies that govern the entire institution.

The only thing wrong with these conferences is that the participants do not have enough respect for the librarian and the amount of stuff that I have to put up with is enough to make me wonder sometimes whether democracy is really, after all, a good institution. Why, they even have the audacity to tell me I am wrong in my own ideas about things. Well, I suppose that is the value of them, that the policies we finally adopt are not the erratic ideas of an emotional administrator, who doesn't know his subject matter. They are the considered judgment of the group as a whole, after all points of view have been expressed and after studies have been made, reports made back, second and third discussions gone through with and trial drafts circulated for comment, and so on and so forth.

I think, as we get more of our policy problems solved, as we get into a period of stability, if we ever do, because we have always been in a fast-moving situation here since I have been at the Library of Congress, I think that more and more will people be able to operate without any administrative supervision that is significant. But there has had to be a good deal of it in the past because of this changing situation, particularly because of the fact that the Library of Congress has as a whole had thrown upon it in recent years a burden of work, a burden of responsibility, a burden of demands from Congress and the government, that was far beyond the capacity of the people to carry, regardless of what kind of policies and principles and organization and procedures you might have. I think the whole thing would have broken down and would have gone to hell if it hadn't been for the fact that we did have a good deal of centralization and we did have a good deal of this democratic policy-making procedure in effect.

We also have a system at the library where anybody can bring a grievance against anybody else without fear of reprisal, and a lot of people have not liked that. A lot of our people haven't been tough enough to stand on the griddle and take the heat that sometimes is generated. Well, we are grad-

ually weeding out the supervisors that aren't tough enough to take criticism, and we are developing a flexible, resilient, well-balanced group of administrators in the library. I am making no special reference to the law library here, I am speaking in very general terms.

The law library has participated admirably in this conference business and in the supervisory policy regarding personnel. The law library, let me remind you, is one of the largest in the land, if not the largest. It has over 600,000 books and it has something less than thirty people to operate it. We have called upon Congress and we have called Congress' attention to the fact that the law library of the present size, or rather, the size it was two years ago, ought to have 60 people in order to function effectively and discharge its responsibilities adequately.

I went to Congress and I fought for a budget of sixty people. I think I got two. This year we got none, no increase at all. I think we must have an increase in the staff of the law library. I think it is one of our greatest pools in the service of Congress, in the service of the government, in the service of the nation, and I intend to keep on fighting for a larger staff at the law library.

Now, I hope if you have any questions about our kicking the law library around in the Library of Congress, if you have any "facts" that you think contradict what I have said, I would like to hear them. I have no doubt in the free-for-all discussions we have had at the Library of Congress, some of the people have made statements of their views which may possibly have been quoted outside, which have been taken to reflect the Library of Congress' policy, but really didn't. That is the risk you run in a democratic way of operating, that some statement will be seized upon and assumed to be the policy, when it isn't, such as this business of calling the law library the law division.

Oh, there is one other point that I should have mentioned in connection with classification: It also has a relation to the question of expenditure of the appropriation. There has at one time or another been some confusion as to what the law library appropriation is expendable for, and we have decided that the law library appropriation is to be expended for law books, primarily, but we have also said that if the law library requires books that are not law, it may spend its money for those books, and it may have those books on its premises.

Now, some difficulty has come up on occasion, when books that the law library thought ought to be classified as law, were classified somewhere else. Well, that can be solved by the arrangement I spoke of a moment ago, briefly, that books classified somewhere else can be moved en bloc to the law library, if that is where the traffic is heaviest.

The other thing is that the law library is always free to buy an extra copy from its own funds of books that are not classified, that are not classifiable in the field of law. We mark those, "extra" copies and deliver them to the law library, and that is what happens to them.

We have had failure of coöperation

on occasion from our cataloging people, but I think most of those failures have grown out of misunderstandings or lack of proper information accompanying the book when it was cataloged, as to what purpose the book was supposed to achieve. I am sure that those problems have been ironed out satisfactorily in the large, at least to my satisfaction, and I believe that the integrity of the Library of Congress classification system has to be maintained.

But that does not mean that the shelving cannot be rearranged as far as en bloc transfers of material are concerned.

I am going to stop at that point and invite you to coöperate with us in solving the problems of the law library. I know that there are some people who think it ought to be a separate institution. I will fight that with all I have got, on the theory that it is absolutely unnecessary, and that any problems that exist can be solved better by some other method.

Thank you very much for listening. (Applause)

THE CHAIRMAN: Thank you very much, Dr. Evans, for your fine exposition of the operation of the Law Library of Congress and its relation to the library as a whole.

Now, have we any questions? We can take a little time for discussion on this matter. Does anyone have anything he wishes to ask?

MR. PRICE: I talked this matter over with Mr. Murrins a year or two ago, and I wish to emphasize that what I have to say is entirely my own recollection and I may very well be mistaken in my recording of what Mr. Murrins had to say.

It is my impression that a number of primarily law books are now purchased which, say, cover the field of taxation, for example, which are classified in Economics, simply because there is no law classification, and that if there were a law classification, those books would be classified therein.

Similarly, I was told, as I recollect, that constitutional law is quite likely to land in Political Science. I would like to know if a classification is evolved — two things — one, whether those primarily law books would be jerked out of "Economics" and put in the new classification, if they properly belong there; and too, whether there is likely to be friction or inconsistency as to what is the proper classification, when the law librarian regards it as primarily a law book and the economics people regard it as primarily an economics book.

I realize that that is a problem of administration, purely, but I just wonder who is likely to have the most influence in determining that? Is it going to be somebody down in the catalog department or is it going to be the law librarian, or who?

DR. EVANS: I am hopeful that the decision as to classification will be one which will place things in Schedule K, which properly belong in Schedule K. I have heard it said that it is true that we have permitted our subject catalogers and classifiers to place stuff in Economics, because there was a good pigeon hole there for it, which would have been placed in law, if the law schedule had been elaborated. I don't know if that is true or not. We have not investigated this thing fully. I think we would need to study it carefully in order to answer that.

Mr. Ellinger is here. He may be able to answer it offhand. He has been engaged in handling some of this legal material.

I think it would be a perfectly natural thing for our people, in classifying something which could have been put in either place, to put it in the place where there was a worked-out classification schedule.

I think, also, that our subject catalogers and classifiers have historically been hostile to the law library, because the law library has refused to coöperate in the elaboration of Schedule K, and the subject catalogers and classifiers have regarded that as the cardinal heresy, to say that you shouldn't have a classification schedule and integrate it with the rest of it. I am not interested in that historic controversy. I think that if a schedule is elaborated, that I certainly wouldn't approve it if I were not convinced that things that really belong in law, in this classification of knowledge, are classified in law.

Now, I am sure there will be things which the law librarian will not like, and I am not going to make the decisions if there is a controversy between him and the people in economics. That decision is going to be made by the subject catalogers and classifiers. They are the people who are administering our system of the classification of knowledge, and their judgment is not going to be tampered with by anybody, for any reason.

If I don't have confidence in them, I will get rid of them and get somebody else. But that doesn't solve the problem as to where the book goes. There are several ways to get the book, if the law librarian wants it and if the traffic justifies it, into the law library. One is, as I said, to shelve a whole block of material in the law library rather than in the general collections; and we have many instances of that. We have got a Hispanic foundation and we have taken blocks out of Literature and blocks out of History and put up these blocks next to a reading room. There is no reason why we can't take a block out of History, a block out of Political Science, another block out of Economics and put it up next to the law library.

Another way of doing it is to buy the book and shelve it in the law library. It may turn out, eventually, that it ought to be back in the other place and the law library can charge a book and shelve it with its own collections.

Another method, as I said a minute ago, is to buy another copy out of the law appropriation. In other words, it is, as far as I am concerned, a fallacious premise to assume that the law library, of the Library of Congress is a separate law library. It is not. It is part of a great collection. This collection has ramifications throughout all fields of knowledge. No law library is ever adequate for a complete legal investigation involving wide-ranging ramifications. We have got a great library there and we are trying to make it comprehensive, and it is all right with me if people, investigating law, have occasionally to go to the Congressional Record in a room downstairs, or go to the newspaper reading room to look up the *New York Times,* or even go to the Labor and Economics Section and get some books out of that collection. In other words, we refuse to accept the

philosophy that the law library will have on its premises all that a lawyer might ever need.

THE CHAIRMAN: There is one thing that occurred to me, Dr. Evans, that might be of interest. You mentioned the fact that the law library could acquire additional copy of a book which has been classified and shelved in another unit, as in Economics, let's say. I assume from that there is a small amount of double classification.

DR. EVANS: That's right.

THE CHAIRMAN: That is, these books that go to the law library are under some law classification.

DR. EVANS: Not necessarily, but they frequently are.

THE CHAIRMAN: Now, what do you do with reference to copyright books? Two copies come in and one is put in Economics, and it is something that is, relatable to law, and perhaps the law people would like to get a copy. Are they allowed to obtain one of those copyright copies, or do they purchase those on the market, or just how are matters of that type handled?

DR. EVANS: I can't say offhand. I can't give you a detailed answer on that. Perhaps Mr. Ellinger can tell us what our general practice is on that.

I think the copyright copies ought to follow the same philosophy as purchase copies.

FRANCIS X. DWYER: One goes to the law library and one to the general collection, under the rules.

DR. EVANS: Under what circumstances, Frank?

MR. DWYER: In all events now, they can be classified in law.

DR. EVANS: For all stuff that can be classified in law, one copy goes to the law library.

MR. DWYER: That's right.

DR. EVANS: I wasn't sure just what principle we followed. And the law library judgment as to what can be classified on law is to be followed up?

MR. DWYER: No.

DR. EVANS: But if we had two copies of something that is not in law at all, but something you need in the law library—

MR. DWYER: We would buy a copy.

DR. EVANS: Can't you get a copy if there are two copyright copies?

MR. DWYER: We can borrow a copy and charge it.

DR. EVANS: That is adequate, is it not, if there isn't a heavy demand?

MR. DWYER: That's right.

DR. EVANS: I mean, our system is, if there is a demand for non-legal material in the law library; otherwise the general library takes precedence there, because the law library has separate money with which to buy its own material. But it works the other way around; if material is primarily in law, then the law library gets it and the general library has to go out and buy it if it has to have copies. It works both ways here.

We won't take copies from the law library, if that is the proper classification, and we would conceivably classify it in other places, would we?

MR. DWYER: So the law library has a little bit of the edge on the general collections on this particular point.

DR. EVANS: Mr. Ellinger, you are the guilty party in much of this stuff. Can you give us some enlightenment on that?

MR. ELLINGER: Well, I may be able

to answer the last question, and it is purely administrative decision made as to books going to the law library. This does not affect classification at all, but the decision has been made and all material, that is, law statutes, and so forth, is either a main entry or an added entry, and it goes automatically to the law library; and moreover it is classed in law in that undefined classification, that undefined K classification.

This, of course, is for the greatest part satisfactory. It sometimes has a consequence that the report of the Public Hygiene Department of some government, which in appendix has the text of certain governing laws and therefore has an added entry made by the descriptive catalog, and also to the law library. Also, the law library may not be interested in this at all.

As to other legal material, anything which is of leading nature, which is of interest to the law library, goes to the law library for their selection and decision, as to whether they want to keep the book or not, regardless of whether it is classed as a law book or classed elsewhere in the classified collections.

There is one statement I would like to make on the question of classification: It was interesting to me to see that contrary to the general accusation that it is only librarians and such who like to intrude into the law libraries with classification, most of the classification schemes I have heard of, and particularly the one which was presented to us today, have not come from library-school trainees, but from legal scholars, and it seems to me that it is the experience of legal research people, primarily, that has induced them to urge classification of law material in a law library.

Before I became librarian, myself, there was no library-school trained personnel at all. All lawyers, law students, who were employed as assistants, felt the necessity for such a classification of law, and it was subsequently introduced.

As a person whose first training was in law rather than in library science, perhaps I am prejudiced in favor of the law libraries, in their attitude toward classifying material either in law or elsewhere, and perhaps I am somewhat of a fifth columnist in the ranks of conservative subject catalogers and classifiers.

One question as to the proper place where all law material and special subjects should be classified. It seems to me that the main complaint of law librarians against any classification at all is not so much that they think the alphabetical arrangement of treatises is clearer or easy to verify on the shelves of classified material, but their fear is that any classification which might be introduced would be the classification of the general librarian which would be imposed on the law libraries. In other words, the application of classification has prejudiced them against the principle of classification, and I very readily admit that the practice of classifying copyright, with book trade, patent laws with technology and trademarks with commerce, is very inarticulate for the law library, because all these scattered subjects belong together under one legal topic. Similarly, it is entirely irrelevant to the lawyer whether torts are

permitted in one field of technological development or another; and it is not satisfactory to find torts in the field of airplane accidents, with aeronautics, the tort committed by a faulty staircase with building torts and automobile torts with automobile traffic; and I think it is here where the objection of law librarians to the methods of classification comes in.

I believe it is the basic principle for any classification that the basic method for any classification should be the principal system for any system that is taught in academic instruction. The academic disciplines are fairly well oriented toward systems, toward disciplines, and they are germane toward them, and where they overlap, such as in Economics and Law, I believe that a sound distinction can readily be made on the basis of general organization of the assigned and academic disciplines.

Thank you.

MR. HILL: Dr. Evans, when research problems are submitted by Congress to the Library of Congress, which are of a legal nature, just how are these answered by the library? Is there any conflict that develops between the law division and the Legislative Reference Service with respect to such questions?

DR. EVANS: We had a long debate and discussion of this problem some months ago, and we issued a general order, giving our resolution of the difficulty. The general principle is that the Legislative Reference Service is a special arm of the library, to serve Congress at a level of intensive research and subject competence which the library in general does not possess, including the law library.

The Legislative Reference Service, at any given time, may not have—may fail to have subject specialists that are as good as a subject specialist elsewhere in the library. In those cases, they are supposed to mobilize the specialists elsewhere in the library for the purpose. If the traffic becomes great enough, the principle is that the Legislative Reference Service must have a subject expert in that field itself, and that runs true regardless of whether that means that we have duplicating experts in the Legislative Reference Service with those in the rest of the library. So our principle is that the research in law for Congress takes place in the Legislative Reference Service rather than in the law library.

Now, we wavered on that, because it was a tough decision and the reason we made our decision, in general terms, was this: That the function of the law library, the qualifications of the experts we hired in the law library, is determined largely by the need to acquire the right material and to be able to put out that material in response to requirements, so that the people there are experts, acquisition-wise, reference-wise and service of materials-wise, rather than being legal research subject matter experts; and we believe, in the Library of Congress, that a unit, whose function is largely acquisitions and custodial service of materials, should not have a heavy responsibility to do advanced legal or other research. We do now have our stack and reader division which administers our general collections, do the research work out of those general collections. We have a general reference and bibliography division, which does the general research work.

In some cases, it would have to be combined, because it is impossible to support a duplicating activity. For instance, as regards our Chinese books, it wouldn't be feasible, it wouldn't be reasonable, with the demand we have for research in Chinese materials, to have it done any place except in the Chinese section of the Orientalia Division. In law, particularly in Anglo-American law, it is different, and we do research there with the staff of the Legislative Reference Service, after it gets above a certain point.

The law library is perfectly free to answer questions which come up to a certain level. Sometimes that level is pretty high, if they have someone who is pretty competent. I am speaking now of Anglo-American law.

In foreign law, most of the research done for Congress, in purely foreign law, is done in the law library, because the traffic is not heavy enough to justify having an expert in Legislative Reference Service.

Now, I know some of you think that is the wrong decision. As I say, it was a tough question with us. We believe that the legal demand for research work from Congress might well swamp the law library so that it couldn't acquire the books, couldn't shelve the books and couldn't serve the books to readers; and we think this other way is an automatic way of controlling the problem, in general terms, and not only in reference exclusively to the law library.

THE CHAIRMAN: Has anyone any further question with reference to this subject?

A VOICE: I would like to ask about The Friends of the Law Library of Congress. Does that group really have much influence in building up the library?

DR. EVANS: Mr. Dwyer can probably give you a better answer to that than I can. I think the committee on the law library of the American Bar Association, which overlaps a good deal with the Friends of the Law Library, has had a great influence in getting the appropriations for the increase of the law library. No one has been very effective yet in getting an increase in personnel, which we have separately identified in our budget each year, but we haven't separately identified in any appropriation language. But it is easily identifiable and we always spend our money for the purpose that Congress gives it to us, even if we are not required to, as far as the technical language is concerned.

Mr. Dwyer may want to supplement that. That is about all I know about it.

MR. DWYER: The Friends are now inactive. They haven't been active for probably the last three years.

DR. EVANS: But the Bar Association Committee is still very active.

MR. FIORDALISI: Dr. Evans, were law specialists added to the Legislative reference staff rather than the law library staff, in order to take care of the additional needs of Congress?

DR. EVANS: Yes, but out of money appropriated for the Legislative Reference Service.

MR. FIORDALISI: But Congress was willing to implement the Legislative Reference Service with additional trained legal personnel, rather than the law library staff.

DR. EVANS: Right.

MR. MARKE: Dr. Evans, I can't help but come back to the question of

classification. I was wondering, however, whether the Library of Congress would be prepared to develop a law classification, when you consider the fact that many non-legal subjects in the present L. C. Classification, contain sub-divisions and breakdowns for law? Now, under the subject of corporations, for example, the non-legal aspect of it, you find further breakdown for statutes at times, and you also find a breakdown for law, law treatises at times. A present assumption can arise from the way it is developed. Would the Library of Congress be prepared to revaluate their entire —not the law classification—but the entire classification that has developed, in order to adequately take care of the law classification in K?

DR. EVANS: Yes.

MR. MARKE: That is swell.

MR. PRICE: I seem doomed in my activities to say unpleasant things, so I will report to Dr. Evans that what my more politic friends were leading up to as the cause of most, or a good bit of the oh, shall I say, the discomfort among our brethren, regarding the Law Library of Congress, has been a fear, which no doubt is unfounded, that the Law Library of Congress is becoming the tail of the Legislative reference dog.

DR. EVANS: Well, I don't know what I could say to that except what I have said. The law library is conceived by us as being primarily a large collection of books which we believe ought to be well selected, well-nigh comprehensive of all legal systems, of all periods, with a staff that is expert in the selection of that material, expert in responding to the requirements for the loan of books and the reading of books in the Library of Congress, even if approached by subject rather than by author or title.

We intend to do all we can to implement that. We intend to do all we can to get the necessary appropriations to make it the greatest law library on earth, to make it comprehensive, to make it include the things that ought to be included in a law library, that is part of a comprehensive, efficient organism, located in a compact space, such as the two buildings of the Library of Congress are. I know the space isn't as compact as we sometimes wish it were.

On the other hand, the Legislative Reference Service is a special service which is made available to Congress. It is isolated so Congress can look at it separately, so that Congress can decide how much service it needs. This service is of a special character, in large measure, and part of it is the same kind that could be rendered elsewhere. We tell Congress what experts we prefer to have. Congress grants or does not grant those.

We reported that we have a P.8 expert in American law, who is a practicing lawyer, or was a member of the Bar. Congress grants money or assumes that is okay, that that includes law as well as history; and we have other experts on American History elsewhere in the library, but it is all right to have experts in American History in the Legislative Reference Service. We can have literature people there, even though we have literature people elsewhere in the library, and so on. We think that is the way that Congress wants it.

The Legislative Reference Service must be viewed, not in terms of a separate field of work, but a different level and character of service.

We have P.8 experts in various fields, as our division chiefs in the Reference Department, Divisions of Music, Division of Manuscripts, which has the greatest collection of historical manuscripts in this country, except for United States Government records; the various divisions in these specialized fields, Hispanic Foundation, Orientalian Division—they get only P.7; they are in library operations, whereas these other people are research specialists, similar to the research specialists, the top level economists, and so forth, and the rest of the government.

That is what Congress did, it legislated that these people at top level, these people should have the same grade as the research specialists in the rest of the government. But our division chiefs in these other library operations are at a lower level.

Now, if you don't like that, I hope you will say so. I think that is what Congress wants.

MR. HILL: Dr. Evans, to sum up, saying that it doesn't control its classification, doesn't control its acquisitions, doesn't control its legal reference and doesn't control its cataloging, a lot of the breath of life on a high level is knocked out of the law library.

DR. EVANS: By that logic, nothing in the Library of Congress has control of its own life.

MR. HILL: I mean, I think that is what you should make clear here.

DR. EVANS: I think that question is whether the Library of Congress is one library or a number of different libraries.

MR. HILL: Well, these are the questions that raised criticism, so we are getting them out in the open.

DR. EVANS: Well, the law librarian can't hire anybody. The law librarian can't fire anybody. The law librarian can't determine what anybody's salary is going to be. But the law librarian can order a charwoman to mop his floor. But there are these services there on a general basis and they are for the service of everybody, and the law library is treated exactly the same as every other division in the Library of Congress.

MR. HILL: Of course.

DR. EVANS: I never appoint anybody in the law library without the law librarian's recommending it. He is a man who recommends the classifications for his people. The job is set up and he recommends the promotions; he recommends the dismissals and in nearly every case his recommendation is not questioned; it is accepted all the way through. I don't think the law library people, that the Library of Congress wants to catalog their books. I think they think the classification system needs some ironing out, and I agree. I am not defending the present classification, I am just saying that ironing it out has not been taken by us as one of our highest priority problems.

Now, I can be criticised for that, if you like, and I won't resent that. But the real question, Sidney, is this: Can the law librarian do, within his own discretion, or get done on his own recommendation, the things that

are necessary to build a great collection? Unless you assume that the librarian of Congress is his enemy, then the thing seems to be workable without his having complete authority over all of these operations.

MR. HILL: We, as librarians throughout the country, are looking to the Library of Congress for leadership in classification, guidance and cataloging, administrative processes; and on the other side of the house, we should be looking to see how we can be of assistance to the Library of Congress.

DR. EVANS: Let me ask you a fair question: Who is this that has blocked the Library of Congress' doing classification in law?

MR. HILL: We don't know.

DR. EVANS: It has been the law librarian, that is who it has been.

MR. HILL: That is what we would like to know.

DR. EVANS: Yes.

MR. DABAGH: How would Dr. Evans define the primary purpose of the law librarian? Is seems to me that has a very important bearing on the organization, service and everything else, and as best I have been able to gather so far, it is to serve Congress. Does it have a wider purpose in your mind?

DR. EVANS: It's purpose includes responding to the needs of the entire United States Government, located in Washington; and in a general sort of way, without being clearly defined, to respond to research needs of the scholars of the country, which aren't otherwise satisfied. That is the purpose of the whole library. The law library is to do that as regards the material which it possesses, which it administers.

Now, that has the qualification I have already made about the research program of the Legislative Reference Service. Congress decided in 1914 to set up a special reference service for itself and it passed a law, setting up the Legislative Reference Service. It has had passed another law a couple of years ago, greatly expanding the Legislative Reference Service and asking for experts in fields of knowledge, which were believed to be of particular interest to Congress.

MR. FIORDALISI: Dr. Evans, how long has the post of law librarian of Congress been vacant?

DR. EVANS: It has been vacant as of April 30th, two years ago.

MR. FIORDALISI: Is there any reason why an appointment has not been made?

DR. EVANS: Yes. The reason is largely that I haven't seen the person I wanted to appoint yet, and we have been on such bad terms with you people, that I thought I would just wait until we get on better terms, so I could get some good news from you.

MR. HILL: I think you also wanted to get the grade up before you made the appointment.

DR. EVANS: I did want to get the grade up. It is now P.8 where we wanted it in the first place, and where we recommended it five years ago, a fact that many of you people haven't known, apparently. We recommended all our department heads P.8, and we got it for all except the Register of Copyrights, the law librarian and the Director of Administration. We have now got it up for the Register of Copyrights and the law librarian. It has not yet been raised to P.8 for the Director of Administration. That is

at a level of P.7 in the clerical administrative and fiscal category. It is a different category, but it is the same salary level, P.7.

Are there any other questions?

A VOICE: Do the Legislative reference people call upon the heads of the various divisions for help, or do they do their own work?

DR. EVANS: The general order spells it out in considerable detail. I wish I had brought a copy with me. It is about three pages. Maybe Mr. Dwyer may have a copy, I don't know.

MR. DWYER: No.

DR. EVANS: This general order stipulates that under many different situations, the work would actually be done elsewhere than in the Legislative Reference Service. It depends upon the competence of the staff and the time that is available at the moment to do the problem, that is, to solve the problem that is being worked on, so that the law library still does a lot of the work it used to. I think it probably does most of the work that it used to do, but it does it with the approval of the Legislative Reference Service, and the Legislative Reference Service has a crack at the work before it goes to the Congressman, and that is for the purpose of integrating with the general policy, because otherwise you would have the law library doing a very detailed job, and the Chinese section doing a very superficial job, and you would get inadequate and uneven responses to requests from Congress. So we have this integration in the Legislative Reference Service.

But the order also requires—and I have never heard of its violation in this respect—that credit must be given in reporting to Congress to the people that actually do the work, regardless of what unit they are in, so that the law library gets the credit with Congress for every piece of work that it does.

MR. SHERWIN (Northwestern): Dr. Evans spoke about the K classification project of the University of Chicago. I saw the project. But, as she herself pointed out in the preface to the classification, it is a classification for a library which is more or less adjunct to a general university library, and that is particularly the point to which many of the law libraries object.

DR. EVANS: We will explore that whole problem.

MR. FIORDALISI: I just wanted to add that Dr. Simpson, in his remarks yesterday, indicated that he wouldn't care to use the general library; that he would rather have most of the material in the law library or in its rare book collection, which would be unavailable to the general public.

DR. EVANS: Well, the Delta collection is not a classification any more than a rare book room is a classification.

MR. FIORDALISI: I did not speak of classification. I said it would be unavailable to the general public.

DR. EVANS: There is no reason why you can't have a Delta collection in a law library.

MR. FIORDALISI: Well, in all probabilities you can't get it, but it seems to me we had quite a bit of difficulty when we tried to get them.

DR. EVANS: Nobody ever asked me to set up a Delta collection law library. I would probably be willing to do it.

MR. FIORDALISI: I think the last time I asked for a book from Delta Library, the request had to go through to you

or through your hands or through the hands of one of your capable assistants before the book was released.

DR. EVANS: I don't know anything about that. I never heard of it. They may have thought you were too young.

Are there any other questions?

(No response.)

DR. EVANS: May I observe that this discussion in its tone, as well as its content, shows me that this meeting has been too long postponed, and I recommend we get down to cases and iron these problems out.

I am convinced that the operating principles of the Library of Congress are adequate to solve these problems. But we are not going to solve them if we sit off and criticise one another on the basis of inadequate facts; and I find problems out for the first time when I come to a meeting like this.

Why haven't you been telling me these things all these years? I think by now we could have reported solution to all of them, rather than having them under discussion for the first time.

MR. HILL: Would you recommend a liaison committee from this association with the Library of Congress?

DR. EVANS: I recommended one regarding classification. I would be willing to recommend a committee on all fronts, with sub-committees. I certainly would; I would welcome it.

THE CHAIRMAN: Does anyone care to make any motion on the subject of having a special committee this next year on the subject of coöperation with the Library of Congress, making the heading sufficiently broad to encompass these different matters of classification and other subjects? The appointments to that committee, of course, would be so made that they could be sub-divided with sub-chairmen for different subjects, for different subject matters to be considered.

I think that this meeting this afternoon has been very profitable to us. We have been brutally frank with one another, but occasionally, where there seems to be a difference of opinion, the best way to solve it, as I see it, is for each person to put his views on the table, to see what the possibilities of compromise are, what the possible solutions are, and in that way work them out. I think it is a wholesome thing to do that, and I am glad that since apparently there has been this problem we are reaching the point of considering it, where we can all take a look at it. I think the whole discussion has enlightened us greatly.

Much of this was quite unfamiliar to me. I guess it didn't come through the airways very well for several thousand miles, but I am glad that I was here to hear the explanations, and I am sure the rest of you are, also.

Well now, I think our association should do something to coöperate.

MR. ROALFE: I would like to move that the incoming president be authorized to appoint such a committee, as you have described, and that Dr. Evans has invited us to appoint, and I would like to say in behalf of myself, at least, that I think we could assure Dr. Evans that there is no reason why, with an attitude such as he has expressed, we should not work these problems out. I am quite sure we can do so.

MISS NEWMAN: I second the motion.

THE CHAIRMAN: On the suggestion

of Dr. Evans, Mr. Roalfe has made a motion, seconded by Miss Newman, that we appoint a committee, a special committee on coöperation with the librarian of Congress, to work out problems relating to law librarianship, in any of the phases that we have discussed here this afternoon.

Is there any further discussion?

(No response.)

THE CHAIRMAN: I hear none. All those in favor signify by saying aye.

(The motion, having been put to a vote, was carried.)

THE CHAIRMAN: Now, Mr. Marke, would you like to make your announcements before we go ahead with several quick committee reports?

MR. MARKE: Yes, we have very interesting programs arranged for tomorrow. Because of that, we must adhere to a time schedule. We must get to the United Nations by 2 o'clock, if possible, so that we can get into the Security Council chambers. Now, if we can leave here by 11:15, that is, if our business can be finished here at 11 o'clock, giving everyone an opportunity to get down to the buses on 32nd Street, the 32nd Street side of the hotel, at 11:15, if that is possible, Mr. President, we can get to the La Guardia Airport for our luncheon, and thence to the United Nations about five minutes to two, and thus make it in time.

Now, is that possible, Mr. President?

THE CHAIRMAN: It will be possible provided we get here at 9 o'clock and start at 9 o'clock in the morning.

MR. MARKE: I so move.

Therefore, at 11:15, we will definitely leave from the foyer here of the Penn Top, descend downstairs to the 32nd Street side of the hotel, where our buses will be waiting for us and by 12 o'clock we hope to be having our luncheon and by 2 o'clock we should be at the United Nations.

I know you will all have an excellent time, in any event, an educational one.

THE CHAIRMAN: Thank you.

We had a committee report from the Committee on New Members, which we have been holding over. Is Mr. Bowen here to report on that committee?

(No response.)

THE CHAIRMAN: I take it that Mr. Bowen is not here.

I am going to ask Mr. Price whether he has any comment he wishes to make in connection with the work of the Committee on Major Library Positions?

MR. PRICE: No, I haven't except to indicate that I have more jobs open than I have been able to fill so far with people who are satisfactory to the ones who want to fill them.

THE CHAIRMAN: Well, that just bears out what we have known, that we do need an aggressive program on education for law librarianship.

Now, the report of the Committee on coöperation with State libraries. Miss Ethel Kommes is chairman of that committee.

MISS SMITH: Miss Kommes didn't come, but she told me that someone else on her committee was prepared to make the report.

THE CHAIRMAN: Is there anyone here to report for this committee at this time? We only have one more opportunity, and that is in the morning, and our program is rather

crowded, so I would like to dispose of it now.

A VOICE: Mr. President, I discussed with Miss Kommes before I left, and we already, at our library, had several reports come in. If you read the reports, you would know that she wishes to make the recommendation that the committee be continued into next year and explore the field into related exchange media of university law libraries. I think she only contacted State libraries for the designated exchange media this time, and she thought it could be explored further.

THE CHAIRMAN: Would you make this motion so that we can make it of record?

THE SAME VOICE: I will move that the committee on Coöperation with State Libraries be continued into the next year.

THE CHAIRMAN: And you move the adoption of its report for this year in the same motion.

THE SAME VOICE: Yes, sir.

THE CHAIRMAN: You move the adoption of the report and the continuation of the committee.

THE SAME VOICE: I move the report be adopted as printed.

MR. HILL: Second.

THE CHAIRMAN: Is there any discussion?

(No response.)

THE CHAIRMAN: All those in favor signify by saying aye.

(The motion, having been put to a vote, was duly carried.)

THE CHAIRMAN: The report of The Joint Committee on Coöperation between the American Association of Law Libraries and the American Association of Law Schools: This is a rather large committee and the chairman is Mrs. Bernita J. Davies.

MRS. DAVIES: There is nothing to be added to the report as it was printed, so I move that it be accepted.

THE CHAIRMAN: Mrs. Davies moved the adoption of the report.

MR. RIGGS: I second the motion.

THE CHAIRMAN: Is there any further discussion?

(No response.)

THE CHAIRMAN: All those in favor signify by saying aye.

(The motion, having been put to a vote, was duly carried.)

THE CHAIRMAN: Now we have the report of the Committee on Library Standards. This is one of those reports that have not been printed and Miss Peterson does have something to report on it. It Miss Peterson here?

(No response.)

THE CHAIRMAN: We will try to catch that then in the morning.

We now come to the report of the Committee on Civil Service positions; Mrs. Huberta A. Prince is the chairman of that committee. Is Mrs. Prince here?

(No response.)

THE CHAIRMAN: In order to be able to finish tomorrow on time, we had better try to work at some of the things we had scheduled for tomorrow morning, in order to lighten the load.

MR. HILL: I have two little reports to get off my chest: I might say we are very grateful to the Library of Congress for all it has done.

DR. EVANS: Thank God for one kind word, Sidney.

THE CHAIRMAN: I guess Mr. Hill moved the adoption of the report.

MR. HILL: Yes.

MR. MCNABB: Second.

THE CHAIRMAN: All those in favor signify by saying aye.

(The motion, having been put to a vote, was unanimously carried.)

THE CHAIRMAN: Well, that report is disposed of.

MR. PRICE: Mr. President, it occurs to me that our speakers have been sort of on duty for a long time. I wonder if it might be in order to offer them—I don't know about Matthew Bender—but I think I can mention the fact that there are liquid refreshments in 1710a, if these gentlemen don't care to listen to the rest of our business session.

THE CHAIRMAN: Our session is practically completed. I think this completes it, as far as we are concerned, for this evening, unless somebody has an announcement which needs to be made.

(No response.)

THE CHAIRMAN: Again I want to thank you, Dr. Evans, for your presence here. We have enjoyed having you very, very much.

DR. EVANS: Thank you.

(Whereupon, the convention adjourned to Thursday morning at 9 o'clock, at the same place.)

Thursday Morning—9:15 a. m.

THE CHAIRMAN: We have the report of the Committee on Coöperation with Latin American Law Libraries, of which Mr. William B. Stern, foreign law librarian of Los Angeles County Law Library is the chairman. Mr. Stern isn't here, but Mr. Dabagh will make any further comments in behalf of Mr. Stern on that report. Mr. Dabagh.

MR. DABAGH: Mr. Stern asked me by letter to move in his behalf that the Committee on Coöperation with Latin American Law Libraries be continued and be made a standing committee of this association. At present, it is a special committee, and he feels—and I agree with him and I am glad to make this motion in his behalf—that if the committee is a standing committee, it will have more prestige in developing projects relating to the work of the committee.

In particular, he is recommending, or the committee is recommending in this report, that somehow or other subscriptions to the LAW LIBRARY JOURNAL be financed in order to go to the Latin American Law Libraries; and another possible project would be to have the Index to Legal Periodicals also be sent to Latin American libraries to give them some key to the wealth of legal material that we have up here, including, as you all realize, quite a number of articles of particular interest to them on Latin American and comparative law subjects.

I am very glad to make that motion, Mr. President.

MR. RIGGS: I second it.

THE CHAIRMAN: Mr. Riggs seconds the motion that we make this, now a special committee, a standing committee of the association, so that this work, coöperation with the libraries south of the border may be continued on that basis. Is there any further discussion?

(No response.)

THE CHAIRMAN: All those in favor signify by saying aye.

(The motion, having been put to a vote, was carried.)

THE CHAIRMAN: Is Alice Magee Brunot here?

MRS. BRUNOT: Yes.

THE CHAIRMAN: I understand you wish to report something this morning to us, Mrs. Brunot?

MRS. BRUNOT: Well, there was something I wanted to say at the meeting. I know it was an honor for me to be asked to speak at the banquet, but I did not say what was uppermost in my heart. I wanted to call the attention, though I am sure it was not necessary, to the vacant chair at our banquet hall that night, vacant for the first time in sixteen years, when death removed from our midst one of our best loved members, one of nature's noblemen, William S. Johnston.

On my way back to New Orleans, I am going to stop in Chicago for the sole purpose of placing a wreath on his grave, and I hope angels will carry on their golden wings this message to our dear Billy from each and everyone listening to me, that to live in hearts we leave behind is not to die.

I wanted to say that, but I was afraid it might cast some gloom over the feast and that is why I didn't say anything.

Oliver Wendell Holmes said, I believe, that "Feasts were made for fun and eats," and that was neither.

THE CHAIRMAN: Thank you, very, very much.

I think it would be a fitting tribute to Mr. Johnston, and, let me say, to those other members of the association—I think there are others who, though not as active, were members of our group—who passed on within the last year, if we would stand in one minute's silence for all of the departed friends and members.

(A minute of silence was then observed by the convention assembled.)

THE CHAIRMAN: Miss Eva Davis, of the law library of Montgomery County, Norristown, Pennsylvania, has two or three matters which she would like to bring before the meeting.

Would you care to do that personally, Miss Davis?

MISS DAVIS: If you would like me to do it.

THE CHAIRMAN: I would appreciate it if you would. I think it is better if you will present it.

MISS DAVIS: One of the questions I would like to have discussed is a possibility of standardizing the lose-leaf services, which plague all of us. As they exist now, there is no standardization among any of them, not even standardization within the individual publishers. They may or may not have a dictionary index. It is not a competent dictionary index as it exists now, and even in the best of the services, frequently they don't have any index at all.

There is no uniformity of arrangement; parts of the service are pushed around from volume to volume as the need to ship these things occurs, and it results in every time a man needs to use a service he has to educate himself all over again, and that is very wasteful of time and it is a wasteful procedure, wasteful of our resources, because if he can't learn how to use the services—mostly, he doesn't use them except as a last resort, and he looks upon them as punishment, and they have reached the point now where we can't do without them, alas, and they are increasing in number, and we feel that the whole

problem needs to be examined by the individual publisher of the services and among all the publishers of the loose-leaf services, to bring some kind of standardization there that is comparable to that which exists among the publishers of standard-bound books.

THE CHAIRMAN: Are any of the publishers' representatives here who could give us any light on this subject, whether there has been any thought or effort put forth in this connection, in the way of standardization? Does anyone have anything further? Mr. Dabagh, what is your thought on the subject? You probably carry a lot of services.

MR. DABAGH: Yes, we have rather a complete subscription list of loose-leaf services, in which we avoid duplication to some degree, and I thoroughly agree with the lady that something should be done. I have told the publishers that on every opportunity and so far with no results, as you all realize.

I would just add to what you said, that they should study the articles and even the books that have been written on the legibility, I think it is called, of type. Their format is very poor. In fact, it seems to me and has seemed to me for many, many years that the publishers of loose-leaf services deliberately go out of their way to make the services hard to use. They seem to think that loose-leaf services are something very distinct from books and therefore they had to be as different from books as possible.

I have tried to sell them the idea, with no success, that loose-leaf services are nothing but text books with loose leaves and that they should therefore be organized the same as text books are.

I hope that something can be done. I wonder if it would help to have a committee of this organization appointed to try to convince the loose-leaf service people that we really find their services inadequate to the purpose they are supposed to serve.

I might add that most of the lawyers who come in, as you experienced too, would almost rather throw the darn things out of the window than use them. They say so and they tell the publishers' representatives that, but the publishers persist in ignoring the legitimate protests of the users.

THE CHAIRMAN: Is there any other discussion? Does anyone have anything he would like to add to this?

MR. RIGGS: I would like to add that they ought to be limited. They ought not to be allowed to print loose-leaf services every time lawyers want something. The lawyers are getting lazy and it has a very bad effect on the profession.

MISS DAVIS: I would like to expand what Mr. Riggs says, that I have to keep reminding both the Bench and the Bar that the loose-leaf services are quick-search tools; they are not referrable. You can't quote from the blasted things and hope to go back a week or two later, in many cases much less a month, or five years later, and pick up all you have done, and then a terrible howl and wail goes up of "Help me, help me, help me!" Well, you can do the best you can, but those pages are gone; you can't duplicate that work. You can only really quote from things that are referrable, and we are not in a position of a certain public utility, which devotes state

and money and energy into keeping a complete file of every single one of the replacement sheets in the whole corporation tax service for the individual states. We can't work that way; and they increase these everlasting loose-leaf services by way of trying to put out a new form book in Pennsylvania into the loose-leaf form and we have protested about it and they act as if we were trampling on their toes.

THE CHAIRMAN: As I see it, there are two possible things we could do now, one is to carry out the suggestions Mr. Dabagh has made, to appoint a special committee to study the problem and work with the loose-leaf service people.

The other would be for us to draw up a resolution, stressing our views and submitting to the publishers of loose-leaf services, calling their attention to the general feeling of the members of this association, as expressed here this morning.

Is there anyone who would care to pose such a resolution or make a motion to the effect that we request the president to appoint a special committee?

MISS PETERSON: I would be very glad, Mr. President, to move that a committee be appointed to study the matter, with perhaps a resolution to be submitted at the annual meeting next year. I doubt that a resolution could perhaps this morning be gotten into shape so that it could really express the views of the association, but I would be glad to move that a special committee be appointed to consider the possibility of making recommendations with regard to the standardization and other improvements in the loose-leaf services.

THE CHAIRMAN: Is there a second to that?

MR. GARDNER (North Carolina): I second.

THE CHAIRMAN: Is there any other discussion?

(No response.)

THE CHAIRMAN: All those in favor say aye.

(The motion, having been put to a vote, was carried.)

THE CHAIRMAN: Well, we can now proceed to your second proposition.

MISS DAVIS: The second proposition deals with the desirability of starting some kind of movement in the scholarly world for a satisfactory adult encyclopedia. The Britannica no longer fills that need. It is run on the principle, as we all know now, of constant revision, which means that there is no edition and it is not identifiable, so it is just a hazard. We can no longer quote from it. We can use it for search and so on, and you can got to definitive works, but there is nothing that really replaces what the Britannica used to be. In all the English-speaking world, there are certainly enough of us who need this sort of thing and enough of us to support a project like that, which could be run as big Ox was run and as the restatement of the law was run. It doesn't have to be a huge money-making project for a certain group; those tasks can be farmed out into one of the universities which is equipped to do that editorial work, and in due time we will have that; and if we put it on a pocket-supplement basis, it will be always up to date and we will avoid the objection which the Britannica said brought it to such financial difficulties before.

They could not afford to keep the thing current, because by the time one edition was off the press, the early volumes were already out of date and our pocket supplement would take care of that sort of thing.

THE CHAIRMAN: I think the perpetual revision plan, as used not only by the Encyclopedia Britannica, but by some of our law publishers in connection with other books, has given us a good many headaches, and I think all of us run into that problem one time or another, from the librarians' standpoint.

Is there any other comment on this?

MISS ELIZABETH FORGEUS: Mr. President, wouldn't that be an undertaking for the A. L. A. rather than the law librarians? It seems to be in general a pretty large task.

THE CHAIRMAN: That's right. However, I suppose it would be entirely appropriate for this group to call attention to the problem and to have it brought to the fore and place it on the record that we recognize this problem exists and endeavor to work with the A. L. A. through our Committee on Coöperation with the American Library Association and other groups of that kind, and hope that something can be worked out.

We definitely recognize a serious problem here and the matter before us now is how to make our influence felt in improving the situation.

Mr. Conant, we haven't heard from you this morning. Have you any thoughts on that? Mr. Conant is the state librarian from the Great State of Vermont.

MR. CONANT: I don't think so. I don't quite understand the nature of the problem. I think, however, that there is a new Collier's coming out very shortly and quite a few others.

THE CHAIRMAN: In other words, it is your thought that if Britannica isn't doing what we need, perhaps one of these others might fill the bill.

MR. GARDNER: Mr. President, it seems to me that we are inclined to create committees as a problem bobs up, and I think you hit the correct solution when you suggested that one of our standing committees, the Committee on Coöperation, might very well inquire of the A. L. A. executive group as to just which is a proper committee for us to contact, to let our standing committee on coöperation negotiate with them or exchange letters, with respect to just what they have done in that field. Surely, it has bothered the general librarians more than it has done us. We really all recognize it as a problem, but I think our weight can be felt more if we work together along the same line, than if we scatter our efforts. It is too big a job; it is too big a problem, and I think it is too big for us to undertake with any hope of success alone.

THE CHAIRMAN: Does anyone else have any comment on this matter? Or does anyone care to make a motion that we ask the Committee on Coöperation with A. L. A. to study this project?

MISS DAVIS: Could we expand that motion to include the Committee on Coöperation with the American Bar Association and the Committee on Coöperation with the State Bar Association, because I know they are interested in the problem too?

THE CHAIRMAN: Yes, they would be. Would you make that motion for us

please, Miss Davis?

MISS DAVIS: I move that the question on the adequate encyclopedia coverage, be referred to the Committee on Coöperation with the American Library Association, and with the appropriate committees of the American Bar Association and the several state Bar Associations.

THE CHAIRMAN: And I suppose, by operating through our own joint committees with state libraries and the American Bar Associations.

MISS DAVIS: Yes.

THE CHAIRMAN: Is there a second?

MR. RIGGS: I will second it.

THE CHAIRMAN: Mr. Riggs has seconded the motion. Is there any other discussion?

MR. MARKE: Mr. President, do you think it might be worthwhile to add a committee of the American Association of law schools to his joint venture?

THE CHAIRMAN: Yes, I suppose—well, we may even think of some of the other committees—some committee should be primarily responsible, and I would say that the Committee on Coöperation with the A. L. A. should be the principal agency, but be authorized to solicit the coöperation of our own committees to make the necessary contact with these other organizations.

Do you wish to amend your motion to include—

MISS DAVIS: I will amend the motion to include the appropriate law school committees.

THE CHAIRMAN: Yes. All right, is there any further discussion?

(No response.)

THE CHAIRMAN: I hear none. All those in favor say aye.

(The motion, having been put to a vote, was carried.)

THE CHAIRMAN: Mr. McNabb, do you have something you want to bring up this morning?

MR. MCNABB: Yes, but that was in connection with the Committee on Coöperation with the American Bar Association. Have you brought that one up?

THE CHAIRMAN: This is as good a place as any, I guess.

MR. MCNABB: I notice in the written report of the Committee on Coöperation with the American Bar Association that the Committee had done nothing, and one significant item in the report was to the effect that they had had no contact with the American Bar Association. I can sympathize with this, because I don't know exactly what their committee was supposed to do, and I doubt if they do, and if they didn't, they would have an awful time either getting contact or coöperation with the American Bar Association, because while their headquarters are in Chicago, their activities are flung all over the country and their committee at section headquarters is wherever the committee or section head happens to be.

Now, my thought of that matter was in connection with the committee, which was suggested yesterday, on coöperation with the Library of Congress, in studying this procedure, either cataloging, administration and classification, was that this committee, if they had nothing to do, either be abolished and another committee started, or that this committee be reconstituted and instructed to coöperate with the American Bar Associa-

tion Committee which they have had for quite a while, and on coöperation with the Library of Congress, in furthering their work, and in order that the American Bar Association, in presenting their case to the Library of Congress and to Congress, might reflect the opinions of the law librarians of the country; and I submit that either as a proposition or a motion, whichever you like, for a worthwhile and useful job for this committee, which has reported no activity for the past year.

THE CHAIRMAN: You have heard the suggestion made by Mr. McNabb. Does anyone want to expand on that?

A VOICE: The Committee on Coöperation with the Library of Congress, weren't they instructed to work with the American Bar Association on that proposition?

THE CHAIRMAN: The special committee, which was named?

THE SAME VOICE: That's right, and wouldn't there be an overlapping, perhaps conflict?

THE CHAIRMAN: Well, I don't believe that the matter of the committee of the American Bar was brought out in that connection yesterday, but certainly there is a correlation there.

THE SAME VOICE: Yes, but it was brought up, I think, in the motion, that the committee would deal with or would talk with the American Bar Association in getting action on it.

THE CHAIRMAN: There is no question that it would be inherently within its power to correspond with any other organization.

MR. MCNABB: That is what I had in mind, but the motion that was made yesterday to have a committee like that has not been carried out. I mean, there has been no action taken, and my thought was that that job could be assigned to this committee, inasmuch as we already have a standing committee which has found nothing to do.

MR. HARRY BITNER: The new president can appoint a special committee.

THE CHAIRMAN: As it stands now, the new president will appoint a special committee to do this special job. Mr. McNabb's point is that we already have a committee to coöperate with the American Bar Association, that this past year the committee apparently didn't find any particular project which was ripe for a coöperative undertaking, and that perhaps this is the project which would engage our Committee on Coöperation with the American Bar Association's attention, coöperating with the American Bar, which has already been studying and wrestling with this Library of Congress project. I think there is a good thought there. We do have a tendency to create a great many committees. Mr. Coffey, at our executive committee meeting, was very anxious to eliminate any committees which could be eliminated.

If we have committees on coöperation, as we have with all these other associations, we shouldn't now abolish a committee on coöperation with the American Bar Association and continue the rest, when obviously there is a great deal of work to be done. So we have before us this question of whether we should revise our action, which we took yesterday, by appointing a special committee, and have this work suggested as a project for the

Committee on Coöperation with the American Bar Association.

MR. MCNABB: My thought on that, Mr. President, is that this wasn't particularly a job for a special or temporary committee; that the conditions, as expressed in yesterday's meeting, have gone on for a long time, and it is going to take a long time to do anything about them, either from the point of educating the Library of Congress, or having the Library of Congress educate us in their viewpoint. It would be more or less a job for a standing committee, and I just thought that this was one committee which could do the work, either in its present form or it could be reconstituted or reformed. But I don't think it is the proper job for a temporary or a special committee which would go out of office before they could possibly do anything.

MR. DABAGH: It seems to me that Mr. McNabb misunderstands the purpose and usefulness of that special committee, and I would like to point out that this Committee on Coöperation with the American Bar Association has a rather large job to do in the very matter that it reports on, the publications of the American Bar Association; and I think that the chairman of that committee should be instructed by the president to become more active in the matter of getting better distribution of A. B. A. publications next year.

MR. MCNABB: I would like to point out to Mr. Dabagh that there are two committees reporting. There is one committee on Bar Association Publications and there is another committee on Coöperation with the American Bar Association. As far as I know, they are not the same committee. At any rate, that committee did nothing during the past year and I thought they could at least find a job for next year.

MR. BITNER: Mr. President, it seems to me that the job the special committee has is an entirely different one than was set forth before. I think it very well if the special committee call upon the Committee for Coöperation with the American Bar Association for assistance, where it could help out, but I think that special committee is going to have some special and difficult problems; I think you are going to have people who are familiar with the whole set-up work right along those lines. I think once you have a special committee it can be kept in existence until it has completed its task.

THE CHAIRMAN: Does anyone care to make a motion on this so we can dispose of it one way or the other?

MRS. KEELER: As I remember it, last year at our annual convention, a question came up about a list of the publications either being placed in the *American Bar Association Journal,* where it would be usable or directly distributed to the law libraries. Was anything done on that score?

It seems to me that we are sort of complicating the labors assigned to these various committees and the final result is that usually there is no report made.

Do we keep sight of the fact that when in annual meeting we discuss a problem and assign it to a committee, that it is followed through or action taken at the next meeting to have it followed through for the following year?

THE CHAIRMAN: I don't recall any committee having made any effort to work further with the American Bar on that problem. As you say, that was a subject of a good deal of discussion last year, the publications of the different sections of the American Bar Association. There is no adequate list available as to what these publications are. There is no uniform practice of reporting them, no check list. It does seem that there is a real opportunity for a committee such as the Committee on Coöperation with the American Bar Association to endeavor to work out a scheme with the A. B. A. for gathering and preparing a check list.

One thought expressed last year was that such a list be printed regularly in the *American Bar Association Journal,* or through some other medium by the American Bar Association.

MISS KEELER: To be made available for our members; and there seems to be no continuation of these committees on the projects that we hit upon at least at our annual meetings.

THE CHAIRMAN: In other words, there is a real opportunity for every committee of our association, when the proceedings number appears each year, to go through the proceedings and to pick from the suggestions possible projects for coöperation and investigation; if a particular subject applies to that committee, if the shoe fits, it is to proceed and follow it through.

I think you are quite right, that we have not been as diligent as we might have been in some of these respects.

MR. SMITH: I just wanted to make this suggestion: It seems to me that there are two very important projects that the Committee on Coöperation with the American Bar Association has, and one is a purely bibliographical problem and the second is a problem of distribution. They are actually linked together. The second is as important as the first.

I think perhaps the difficulty has been that they were not fully informed of what was desired. Therefore, I move that the Committee on Coöperation with the American Bar Association be continued as a standing committee and that it be instructed to explore ways in which the bibliographical problem and the distribution problem of the American Bar Association publications may be satisfied.

THE CHAIRMAN: Is there a second?

MR. BITNER: I second it.

THE CHAIRMAN: The motion, which we have before us, seconded by Mr. Bitner, is that a Committee on Cooperation with the American Bar Association be continued as a standing committee and that it be instructed to give special attention to the two phases mentioned.

All those in favor signify by saying aye.

(The motion, having been put to a vote, was duly carried.)

THE CHAIRMAN: Now, Miss Newman is here, and I believe Miss Newman has something that you would all like to hear and that she would like to bring up.

MISS NEWMAN: Mr. President, in behalf of the entire executive committee, I wish to place in nomination the names of three of our members, who have retired, for life membership. They are as follows: Mr. B. G. Arkebauer, who is retiring as librarian of the Supreme Court Library of Illinois;

Miss Olive Lathrop, who has retired as librarian of the Detroit Bar Association; Miss Lydia Kirshner, who retired some few years ago as librarian of the Worcester County Law Library.

I submit those names, sir, for life membership in our association.

MR. RIGGS: I second it.

THE CHAIRMAN: Mr. Riggs has seconded it.

A VOICE: Miss Lathrop was made a life member at the session in Santa Fe.

THE CHAIRMAN: Are you sure?

THE SAME VOICE: Yes.

THE CHAIRMAN: Fine. Then we won't have to act on Miss Lathrop.

MR. LEWIS A. CLAPP: May I amend the motion to include two librarians emeritus of our Court of Appeals Library in Syracuse, Mr. George N. Cheney, who has attended the meetings since 1909 to, I think 1937. Also, Mr. T. Aaron Levy, who retired a year ago last January. He was the librarian from 1937 until a year ago last January.

MR. DABAGH: Is he a member of our association?

MR. CLAPP: Our library had an institutional membership while they were librarians of the library.

THE CHAIRMAN: There are four names that have been suggested for life membership. Are there any others?

(No response.)

THE CHAIRMAN: The names of George N. Cheney, T. Aaron Levy, in addition to the two that Miss Newman mentioned, B. G. Arkebauer and Lydia Kirshner.

Will you amend your motion to include these other names?

MISS NEWMAN: Certainly.

THE CHAIRMAN: I should have asked Mr. Riggs to withdraw his second.

MR. RIGGS: I accept the amendment.

THE CHAIRMAN: All right, any discussion?

(No response.)

THE CHAIRMAN: All those in favor of electing the four librarians, who have now retired or are about to retire, as life members of this Association, please indicate by saying aye.

(The motion, having been put to a vote, was duly carried.)

THE CHAIRMAN: I will ask Miss Coonan at this time to give a brief summary of what happened in the executive committee meeting the other day. Miss Coonan.

MISS COONAN: I believe, President Poldervaart, you mean with particular reference to the index?

THE CHAIRMAN: Various matters, including the new treasurer.

MISS COONAN: Yes. Well, the amendment, as we reported yesterday, was adopted by an almost unanimous vote, and the executive committee has asked and had the acceptance of Miss Elizabeth Finley of Washington, D. C., who will act as treasurer of the Association for a year to come.

You also heard Mr. Drummond speak of the increase in the Index rates. It was authorized by the executive committee that the salary of the executive editor of the Index, Miss Wharton, should be raised by $360, making Miss Wharton's salary $3,000 for the year; that a maximum amount of $2,400 should be available for an assistant to Miss Wharton and that $1,000 increase over the present revenue that is paid into the Association's

treasury for the Index fund should be taken care of.

The rate, therefore, that you have assessed on the Index to Legal Periodicals, you will bear in mind, will reap some benefits in the Association.

I believe they were the main things that would be of general interest to the Association.

MR. DABAGH: What about next year's meeting?

MISS COONAN: Oh, yes. The decision was reached that Detroit, Michigan, would be the place of meeting for the year 1949; Detroit, Michigan, for next year's meeting.

THE CHAIRMAN: We have another matter which I think is always one that we welcome, and that is to welcome a new chapter of the Association into our membership. There has been considerable activity up in New England, particularly around Boston this last year. I would like to have some member of the chapter, which has been temporarily at least designated as the New England Chapter, tell us something of its activity.

E. W. BEESON: Well, the New England Chapter has been in the process of becoming organized for the last two years. We have had two or three meetings a year and our principal aim has been to become affiliated with this organization, and we hope that at this meeting we will achieve that end.

We have included all the librarians in all the New England States in our group. Of course, it is kind of hard for them to come. However, we have included them and we hope that in the future they will be able to make it.

We haven't any big project yet on the way, but we are sure we are going to be able to find things to do, to be of benefit to all the law librarians of New England.

THE CHAIRMAN: The executive committee has accepted the application of this chapter for membership in the Association, so that at this time there is no further action we need to take except to welcome the New England Chapter as a part and affiliate of the American Association of Law Libraries. We welcome you as a part of our organization and we hope that next year your program will flourish and prosper.

MISS BEESON: Thank you. (Applause.)

THE CHAIRMAN: Now, is there any unfinished business that I have overlooked, or that anyone would like to bring up? Mrs. Prince, I believe there is a committee report to be had from you.

HUBERTA A. PRINCE: I am sorry I was not present when my report was called for yesterday.

The resolution relative to job or position classification in law libraries, which was adopted at last year's meeting, empowered a committee to be appointed thereunder to take certain action. However, the studies developed by the committee resulted in findings and recommendations of such a nature that it was deemed wise to report back for further instruction after the membership had an opportunity to read the report of the committee, which was published in the May issue, or the last issue of the LAW LIBRARY JOURNAL.

I should like, therefore to make this suggestion: that the language of Paragraphs 10 and 11 of the report, which

appear on Page 40 of the reprint, be placed in motion before the association for a vote, so that a vote can be taken, and the committee further instructed as to whether or not or how to proceed with this project. Is that in order, Mr. President?

THE CHAIRMAN: Yes, if you wish to state that motion now, we might dispose of it.

MRS. PRINCE: I could read the language of these paragraphs and request that to be placed in motion.

Ten of the report reads as follows: "That this committee, if its report is approved by the membership of the Association at its annual meeting in New York in June, 1948, be authorized to lay its findings and recommendations in person before the United States Civil Service Commission for consideration and appropriate action."

Eleven reads: "That in the event such authorization is granted, the committee be further authorized to enlist the active support of members of the American Bar Association and Federal Bar Association in the presentation of its case to the Civil Service Commission."

THE CHAIRMAN: I suggest that you make that in the form of a motion and include in the last part the adoption of the report.

MRS. PRINCE: I move that this report, incorporated in the paragraphs that have been read, be adopted.

MR. MCNABB: Second.

THE CHAIRMAN: Is there any discussion?

(No response.)

THE CHAIRMAN: All those in favor signify by saying aye.

(The motion, having been put to a vote, was duly carried.)

THE CHAIRMAN: I believe there was another report held over from the first day, the Committee on New Members. Is Mr. Bowen present?

(No response.)

THE CHAIRMAN: Is there any other member of the committee here? That was a thirteen or fourteen-member committee, I believe.

MRS. KEELER: I haven't been empowered by Mr. Bowen, but since Mr. Bowen isn't here and I am a member of that committee, may I move that the report, as presented in the printed issue, be adopted at this meeting?

THE CHAIRMAN: Is there a second?

MISS PETERSON: I will second it.

THE CHAIRMAN: Is there any other discussion?

(No response.)

THE CHAIRMAN: The reason I have carried it forward for a number of times is that I understood that Mr. Bowen did have something he wanted to say in connection with the report, but this is the last opportunity that we have to adopt the report and so we will proceed on the motion made by Mrs. Keeler as a member of the committee and seconded by Miss Peterson.

All those in favor signify by saying aye.

(The motion, having been put to a vote, was carried.)

THE CHAIRMAN: Now, are there any other matters that anyone has we should take up at this time?

(No response.)

THE CHAIRMAN: Miss Newman, will you come up and accept the presidency on behalf of Mr. Coffey?

(Miss Helen Newman then ascended the rostrum.)

THE CHAIRMAN: Miss Newman, have you anything you wish to say on behalf of the incoming president of the association?

MISS NEWMAN: On behalf of Mr. Coffey, I am very happy and honored to accept the gavel for him. I know that each and everyone of you has in mind two motions to make at this time, a motion of thanks to retiring President Poldervaart and his officers, and a motion of thanks to Julius Marke and his splendid committee on arrangements for this wonderful meeting we have had.

I will now entertain the motion thanking President Poldervaart and his officers for this splendid administration.

MR. RIGGS: I will make that motion very cheerfully.

A VOICE: Second.

MISS NEWMAN: Seconded with enthusiasm by North Carolina.

It has been moved and seconded with enthusiasm that we spread upon the record our thanks to outgoing president Poldervaart and his officers for their splendid administration. All those in favor please signify by a standing vote.

(The convention rose and applauded.)

MISS NEWMAN: The motion is carried with enthusiasm.

I will now entertain the second motion, to thank Julius Marke and his committee.

MR. MORELAND: I will make that motion.

MR. DANIEL: Second.

MISS NEWMAN: Mr. Moreland has moved and Mr. Daniel has seconded the motion to thank Julius Marke and his committee for this very wonderful meeting which we have had, and I, as one of the old members of the Association, can say that we have had a larger attendance at this meeting than any that I can remember.

All those in favor of this motion will again signify with the seventh-inning indication by rising.

(The convention rose and applauded.)

MISS NEWMAN: This motion is likewise carried with enthusiasm.

Is there any other matter which any of the members wish to bring before the meeting at this time? If not, I will entertain a motion to adjourn the 41st Annual Meeting of the American Association of Law Libraries.

MISS FORGEUS: Madam President, we wanted to invite anybody here who can come over to visit the Yale Law Library. While it is a two hours' trip from New York, anyone who hasn't seen it, we think it is worthwhile seeing.

MISS NEWMAN: Thank you, Miss Forgeus.

MR. MORELAND: I will make the motion that you requested.

MISS NEWMAN: Mr. Moreland has moved that we adjourn the 41st Annual Meeting of the American Association of Law Libraries. Do I hear a second?

MR. DANIEL: I will second it.

MISS NEWMAN: Mr. Daniel has seconded it.

All those in favor signify by saying aye.

(The motion, having been put to a vote, was duly carried.)

MISS NEWMAN: The motion is carried. Thank you all very much.

(Whereupon, at 10:10 a. m., the convention was closed.)

Report on the Panel Discussion on Chapter Problems and Programs

The discussion panel on Chapter Problems and Programs, held in the late afternoon of Tuesday, June 22, fell on hard times and was forced to adjourn betimes to make way for the evening's festivities (the annual banquet).

The outstanding feature was Mr. Gardner's vivid, enthusiastic description of the coöperative law library activities developed through the efforts of the Chapter in contiguous communities in North Carolina. Mr. McNabb's project on coöperative cataloging among the Chicago law libraries held a great deal of interest for us all. Those present were happy to welcome Miss Beeson's New England group as a new chapter.

The scheduled discussion, pro and con, of the benefits to be derived by affiliation of a local group of law libarians with the national organization, developed very little "con." Miss Margaret Hall, after agreeing that chapter life had considerable merit, and that the New York Law Librarians' Society was seriously considering applying for chapter status, was forced to withdraw to attend an executive meeting.

The panel participants have very kindly briefed their points on topics that time did not permit us to cover thoroughly, which are appended hereto.

Respectfully submitted,

HUBERTA A. PRINCE
Discussion Leader.

The District of Columbia Chapter

MRS. PRINCE

The District of Columbia Chapter has scheduled its regular bi-monthly meetings between September and May, with guest speakers from the field of law or public affairs invited to address the Society on timely subjects. The annual business meeting and election will take place in November, with the newly elected officers taking office at the January meeting.

The Chapter has consistently limited its programs to a very few major projects—sometimes only one or two at a time. The congenial intercourse among the members which was the primary objective in the organization of the group remains its chief motivation.

At present the Chapter has two major projects, one of which is well established, has already produced some very useful results, and is now being continued and perfected; the other is scarcely beyond the idea stage. The established project is the compilation of a union list of legislative histories of Federal laws in the District of Columbia libraries; a legislative history being defined for this purpose, as a collection of the Congressional materials relating to the passage of a particular Act, (sometimes supplemented by administrative rulings). This project was begun nearly three years ago, and a list covering twenty-three (23) libraries was published in the LAW LIBRARY JOURNAL for November, 1946, and January, 1947.* The Special Committee on Union List of Legislative Histories, under the able chairmanship of Mrs. Margarett James, of the Department of Justice, was continued for the purpose of supplementing this list, and has collected many references to histories of laws of the Seventy-ninth

* 39 LLJ 243; 40 LLJ 62

and Eightieth Congresses. At the same time, the Committee has broadened the coverage of the list by systematic appeals to libraries and Federal agencies and by listing all additional histories, for whatever period, found in the Washington area. This supplementary material has about reached the stage of editing and compilation and will probably be ready for publication in the fall. After that, it is hoped that means may be found to publish a new edition, bringing under one cover the two parts of the original list, the supplement, and later material.

Our proposed second project is still in a tentative stage, and is being informally referred to as a "Law Library" (or "Legal Research") Institute. It had is genesis in the inquiry of a member as to whether there was a course in Washington which some of his assistants could take who desired to orient themselves more thoroughly in law librarianship. The answer was "No," except for the regular legal bibliography courses offered in the law schools, to which they might not be able to gain admission. The Chapter's Board of Directors discussed the possibility of developing such a course, in the form of a series of demonstration lectures, as a professional activity of the Society. Planned informal lectures would be given by qualified members in rotation, at meetings held in their libraries, with assistance perhaps from publishers' representatives and specialists in practice. The idea rather took hold as an answer not only to the needs of our fellow member's assistants, but also as an activity which might have some appeal for staff attorneys and law students. This proposal is now under study by a committee and it is possible that the project will begin to take form during the fall months.

The Carolinas Chapter—Co-operative Law Libraries

MR. GARDNER

In 1942, due to transportation and other war-born difficulties, the Carolinas chapter decided to hold no further meetings "for the duration." This spring it seemed high time to initiate a revival. Miss Lucile Elliott, Law Librarian at the University of North Carolina, was still our president and I still had the files, the minutes, and a little money, as secretary-treasurer. Many changes had taken place in the personnel and some members had not even met the others. The bookbinder who served most of the libraries agreed to take the group on a tour of the bindery, explaining the various operations. As there was a new coöperative bar library in the same town—Greensboro, N. C.—we decided to meet there. The usual difficulty of finding a date suitable to everybody arose; as a result, only three of the five major libraries were represented, but the local bar library was well represented.

At the outset the question of the desirability of reviving the chapter was encountered. The sentiment for revival varied from mild enthusiasm to serious doubt, until the local bar library group was heard from. The sentiment from this group was strong that the chapter should become active and expand its activities in helping local bar libraries. In the later '30s the chapter has done considerable pioneering, through the bar organiza-

tions, in encouraging the establishment of coöperative, local bar libraries as a means of preventing wasteful duplication of law-books and as a method of stretching the lawyer's "book dollar." The Greensboro group has been one of several which had seen the need and responded by aggressive action, with the formation of a law library corporation to which all local lawyers belonged, and to which all contributed. We visited the library, conveniently located in the courthouse; in a few years gifts of books from lawyers (and particularly from the estates of former lawyers) as well as purchases from dues had resulted in the acquisition of a working library of several thousand volumes. Immediately we saw places in the collection where we could help from duplicates in our libraries. Problems of administration were discussed and we brought our experience to bear upon these. In a few minutes it became evident that here was the answer to the question: There is a very real need for an active organization of law librarians. Following the meeting, a survey revealed that there were half a dozen other small, local, coöperative bar libraries scattered through the state. These libraries vary widely in their plans of organization and methods of financing, but they all have one thing in common: joint efforts and the pooling of law books which have produced for the individual participants improved library facilities at financial savings. All of these had been aided in some measure toward a systematic and balanced growth by the "model law library for North Carolina," a list of books arranged and graded according to usefulness; this 1940 list had been the product of the joint efforts of the chapter members working with a number of library-conscious lawyers. A little shamefaced we realized that the work we had sponsored had lived without us. True, the movement had not swept the State by storm, nor had those libraries which survived grown as rapidly as we had hoped they would. But—they were alive and growing. More and more the lawyers were accepting them and depending upon them. Here at least we have a practical, laboratory demonstration of the very real value of the coöperative bar library. Here is proof that there is something which the lawyers *can* do in the face of the mounting cost of law-books and the growing demand of the courts for more extensive legal materials. The idea appeals definitely to the younger men at the bar and it is at this level that many of the communities have found the men who are willing to give time and thought to the building of a community law library. We have found that there is in marked degree a spirit of neighborliness in the profession and that, building upon it, we may yet see pinpointed across the map dozens of these small, well-organized libraries admirably serving the every-day needs of the general practitioner. We invite and urge other sections of the country to analyze their own local needs and possibilities, and to apply a similar approach to the problem.

The Chicago Association of Law Libraries

MR. MCNABB

This Association, a Chapter of the American Association of Law Libraries, is entering its second year with great hopes and some concrete plans for furthering its objectives: coöperation on an active basis between Libraries and Librarians, good fellowship, and an interchange of information and special skills.

The program calls for four regular meetings, two of which will be educational and two mostly social, and for as many meetings of the Executive Committee as necessary. On the agenda are (1) a tentative statement of the Loan and Use policies of the member Libraries, to facilitate interlibrary loan, and the interchange of patrons in special instances; and (2) further discussion and possible revision of a tentative statement of the holdings by large areas of coverage of the four larger libraries. This latter is a wholly ambitious project, looking toward a comprehensive agreement, more or less binding, as to purchasing policies of these libraries in special fields and in little used material. Our object is, as nearly as possible, to consider the entire area as a service center and to aim at comprehensive coverage on that basis. In connection with this plan, we aim to make fuller use of the facilities of the Union Law Catalog, which was originated for this purpose.

We have made sufficient strides in this direction to enlist the support of everyone in principle, and it only remains to implement it, by a concrete plan of action.

Respectfully submitted,

CHARLES A. MCNABB, *President*

Officers

Breta Peterson, Vice Pres. (U. of C.)
Helen Ross, Secy-Treas. (Field Bldg.)
Frank DiCanio, Exec. Com. (Chi. Law Inst.)
Fritz Veidt, Exec. Com. (Loyola)

The New England Chapter

MISS BEESON

The New England Chapter of the American Association of Law Libraries, officially recognized as such on June 24, 1948 at the Association's annual meeting in New York, is a group which originally consisted of law libraries of Boston and vicinity and then spread to include law librarians in the six New England states. The first meeting was a luncheon October 10, 1946. Since that time there has been one more luncheon and four dinner meetings. At the Parker House February 10, 1948, it was unanimously voted that the group affiliate with the national Association. The program has generally consisted of an address by a speaker of note in the field of law; friendliness and informality have prevailed.

The Chapter has no project organized for the future. The project to date has been to achieve affiliation. There is a committee to pick out a slate of officers and to draw up a Constitution. When formal organization is thus accomplished, plans will be made for constructive achievement.

THE ABC OF LAW LIBARY CATALOGUING

By KATHERINE WARREN
Yale Law Library, New Haven, Conn.

To those who listen to the radio, the title of my paper may sound as if I were going to advocate "Always Buy Chesterfields." My ABC, however, stands for A) Descriptive Cataloguing, B) Subject Headings, and C) Classification.

In a paper on the Yale Law School Library, which Mr. Frederick C. Hicks read before this Association in June, 1931, he said, "We aim to have as complete, accurate, and technically correct a catalogue of our law library as library science knows how to provide for a library of any kind." My task has been to help him realize that ideal.

A) *Descriptive cataloguing.*

Cataloguing technique consists of preparing catalogue entries according to the rules which have been formulated by librarians after years of experience. Catalogue cards must be prepared by a cataloguer in such a way as to give a true bibliographical description of the book. The catalogue must be founded on rules and regulations that insure uniformity and accuracy so that it will be a dependable tool. For example, if there is a lack of uniformity in the use of corporate entries, a problem will develop not only for the reader, but also for the reference librarian and the cataloguer. The Charter of the United Nations could be entered under Potsdam declaration, Dunbarton Oaks proposals, San Francisco conference or United Nations, but the latter is the accepted form in most libraries. Some of those who criticize a catalogue have little conception of its intricacies or the amount of work involved in making one. Many law libraries still have both an author catalogue and a separate subject catalogue, but a third form known as a dictionary catalogue is becoming more common. In this type of catalogue there is only one alphabet of cards arranged as the words in a dictionary with author and subject cards all in one alphabetical arrangement. Although the standard practices established by the American Library Association and the Library of Congress are adhered to as closely as possible for a law library catalogue, yet certain helpful variations may be made. It is the possibility of making some of these helpful variations that I shall speak about today.

The law library may be in a law office, law school, bar association, court house, state house or government office. No matter where it is, the books will fall into certain well-defined groups; namely, 1) reports of decisions, 2) statutes, 3) treatises and casebooks on legal subjects, 4) periodicals, 5) reports of attorneys-general, 6) bar associations, 7) public utility commissions, 8) briefs and other appeal papers, 9) international law books, 10) and some non-legal material. Though each class of library has its own purpose to serve and its own special objects to attain, the character of the

books is the same. No matter what the purpose is, the foundation of every law library is in the judicial decisions and the statutes of the federal and state courts.

The reports of court decisions are a distinct form of government publication which are most important in a law library. Some of the methods which are used in cataloguing this type of material are quite different from the rules as given in the "A.L.A. Catalog Rules." For the reports of three or more courts of any jurisdiction it is possible to adopt as a main author entry: U. S. Reports, Connecticut. Reports, or New York (State) Reports. When the volume is a collection of the decisions of a single court, include the name of the court in the entry. 1) U.S. Reports. Supreme court. 2) Connecticut. Reports. Superior court, as the court is the author of its decisions. (See Samples No. 1 and 2). As an aid in filing these cards, when there may be many entries under the same court, the Yale Law Library has adopted the method of writing the citation of a work in the upper right-hand corner of the card and that citation is used in the filing of the cards. This makes them stand in alphabetical order by reporter or the way the set is known. If one tried to alphabetize by title, one would find that the titles were of little meaning and practically all alike.

An alternative method which may be used for the decisions of administrative agencies, particularly when there are many author entries of the same body, is an entry such as: U.S. National Labor Relations Board (Reports).

For a collection of cases decided in several courts but all on the same subject, a good form of entry to use is U.S. Reports. Labor, or U.S. Reports. Aviation, or U.S. Reports. Taxation. (See Sample No. 3.) The information on the card should always include the period covered, the name of the reporter, and a note of advance sheets if the set is kept up to date.

Statutes consist of government publications which include the compilation of laws in force, codes, the session laws of each legislature, and collections of statutes on special topics. Although the legislative body of the country or state is actually the author of all statutes, the A.L.A. Code establishes a form entry for such material such as U.S. Laws, statutes, etc., Connecticut. Laws, statutes, etc. The Yale Law Library has found it necessary to qualify these entries in order not to have a large number of cards under a single author heading. Subdivisions appear in parentheses after the Laws, statutes, and consist of Collections, Sessions, Codes, Indexes, Statutory rules, and special subjects such as Labor, Housing, etc. The cataloguing has been simplified by our using tabulated cards for the session laws, and therefore enter ten volumes on one card instead of a separate card for each volume. For the early imprints, which are of bibliographical interest, full cards are made for each volume. (See Samples No. 4-7)

Although continuations are not peculiar to a law library, a practical and economical method of cataloguing them is to use tabulated cards. The chief advantages are that in the case of periodicals or annual reports there

is only one place for a new volume to be entered, as all the secondary entries and subject cards can refer to the main card. This means that a new volume can be added at the catalogue and cards do not have to be withdrawn. It is also easy to observe any lacking parts. With series that are classed together, the number of cards is reduced and space is saved. Anyone wanting full bibliographical information for any title will find it on the author card. (See Samples No. 8 and 9)

As a member of the committee that revised the A.L.A. Code for the second edition in 1941, I tried to have these rules for law library cataloguing consolidated in the code. They, however, were considered too specialized a practice to be included.

B) *Subject headings.*

The subject headings are the guideposts to the resources of the library and serve as an index to the books. In order to have the books listed in the catalogue under the subjects, a copy of the main author card is made and the subject heading is typed at the top of it. Subject cards are made under the most specific topic which the book covers. Some general subjects such as Agency, Contracts, Property, Sales, and so forth, the Yale Law Library does not subdivide by U.S. or Gt. Brit. but puts the cards all together as general works. The same subject subdivided by place, follow these more general ones.

For example:

Contracts
Contracts—France
Contracts—New York (State)
Contracts—Ontario

A qualifying term after any subject, such as Criminal law (Ancient law), Inheritance and succession (Germanic law), Sales (Roman law) and Criminal procedure (Canon law) is another form adopted.

In the case of treatises or casebooks only the latest edition has a card under the subject, and that card is stamped "Library has also other editions, see author cards." (See Sample No. 10) If anyone is interested in bibliographical details, he may go to the main author cards and find the information. Even with this reduction of subject cards, the catalogue seems to increase rapidly. A recent criticism has been that there are too many cards to look through to find the latest books on some subjects. In order to simplify matters for the reader, we have tried out a practice of dividing the cards under large subjects such as Criminal law, Contracts, Labor law, and International law into two groups. The most recent books, *i. e.*, those published since 1930, are put in the first alphabet and the older books in the second alphabet with cross references and guide cards to explain the system. One disadvantage is that there are two places to look in some cases; if one is doing scholarly research, if one wants a historical development of a subject, or if one desires to know the holdings of the library in a certain group.

The "Subjects used in the Dictionary Catalogue of the Library of Congress" has proved a good basis for subject assignment, nevertheless in many instances, a more specific heading or a more strictly legal phrase has been used. For example: Library of Congress uses U.S.—Constitutional

law, but Constitutional law—U.S. is a preferable practice for a law library. Certain terms such as Agricultural law can be changed to plain Agriculture for all the books on such a subject would no doubt be legal ones. The "Descriptive Word Index" of the American Digest system is helpful in determining these legal terms and phrases. It is not always easy to find the exact English equivalent for some foreign legal subjects, *i. e.* Amparo, Sachenrecht, Mancipatio. In these cases, the foreign term may be adopted as a heading. Foreign legal dictionaries and codes are a help in determining this terminology. A card file is kept of all subject headings adopted and is constantly consulted by the cataloguers in their work.

C) *Classification.*

The organization of the books in groups on the shelves is so closely allied to the subject headings in the catalogue, that the card catalogue and classification are complementary. The purpose of a library classification is to enable readers and staff to find easily a specific book known to be in the library and to have groups of books brought together for convenient consultation. Every separate volume has a unique call number, which indicates the group to which it belongs and the place within that group, in relation to other books, that it should occupy. Without duplication of books, a shelf classification division must be chosen and the books put there, but cards representing this book may be duplicated and provide numerous avenues of approach to information about the book. A small law library containing Anglo-American material chiefly, does not need a very extensive classification but a library which contains foreign and historical material requires a logical arrangement.

Although there has been no generally accepted library classification developed for legal material as yet, nevertheless several libraries have adopted an original one. The Library of Congress has not yet published a complete law classification. Systems have been worked out by both Mr. Thomas S. Dabagh and Mr. Arthur Schiller. Mr. Dabagh published his book with the title: "Mnemonic Classification for Law Libraries," in 1936. Mr. Schiller's, "Reclassification and Supplemental Cataloguing of Books in the Columbia Law Library" has been made available in a new edition recently.

The classification designed for the Yale Law School Library by Mr. Hicks, with whom I had the honor of collaborating, is in three main divisions, 1) special subject classes, 2) Anglo-American law, including both form groups and geographical divisions, and 3) foreign law. In the case of international law, the Library of Congress JX schedule, in modified form, has been adopted.

In the first group are the classes for material on Ancient Law, Canon Law, Jewish Law, Legal Education, Medical Jurisprudence, Mohammedan Law, Roman Law, Social Science and Trials. None of these subjects can be provided for in a geographical arrangement of books. Under each group, a numerical schedule has been developed so that there is a place for each book. Each of these classes is indi-

cated by a symbol which suggests the name of the class, such as:

AL—Ancient law
CL—Canon law
MedJ—Medical jurisprudence
LE—Legal education
SS—Social science

The classification was prepared for publication, by writing up each group with three divisions: 1) Description of class which tells the type of material intended for this class, 2) Schedule with numerical tables, 3) Practice with information in regard to the formation of call numbers, special subject headings and any other notes peculiar to the individual class.

For Anglo-American law, there are form groups for such material as Administrative Agencies, Bar Association reports, City Charters and Ordinances, Digests of Court reports, Form books, Judicial Council reports, Public Utility Commission reports and Treatises. These groups have symbols such as: BA—Bar Association reports, CC—City Charters, JC—Judicial Councils, T—Treatises. For the government publications, a notation system has been worked out which provides a numerical decimal table to be used under the geographical name. This table provides for Session laws, Collected laws, Codes and all special laws, court rules, constitutions, court reports, and so on under the name of the country or state.

For the foreign law, this same numerical table has been used under the name of the country as a symbol. The table provides also a place for the foreign material corresponding to the form groups of Anglo-American law. For example Italian bar association publications would go under Italy 07 rather than in the BA group. City ordinances would be Germany 323 rather than in CC where the Anglo-American city ordinances are classed. A treatise on French law or any special phase of it would class in France 46, rather than in the T class. In using this same table throughout the user becomes accustomed to the numerical subdivision and knows that the material will be classed in the same arrangement, *i. e.* 14 means Session laws; 221, civil code; 36, court reports, 46 treatises, and so forth. This system is so flexible that the classes do not have to be arranged in alphabetical order, but can be shelved in the most convenient manner. Also new letter symbols may be added whenever there are new groups assembled.

No matter what form of classification is used, it constantly has to be developed to provide for new material. Within the last few years, it has been found necessary to work out a scheme for the official publications of administrative agencies for both federal and states. Another problem has been that of our having to provide a classification for the material published by the United Nations, as well as unofficial books about the United Nations.

Still another has been to establish a classification and method for handling discs embossed by a SoundScriber machine. These discs contain the recordings of speeches given in the law school. This type of work, however, is what makes law library cataloguing interesting. Mr. Hicks has said, "A law library is not merely a collection

of books. It is a collection of legal literature, properly housed and organized for service." Therefore "Always Best Cataloguing" is A Big Challenge to a cataloguer in a law library.

Postwar Problems of the Law Library Equipment and Quarters

KATE WALLACH
Assistant Law Librarian
University of North Carolina

Some time ago, I sent out a questionnaire to 50 law school libraries in preparation for a discussion on postwar problems of the law library: equipment and quarters. The questionnaire was in 2 parts: technical services and physical equipment. Forty-two out of 50 librarians approached, replied, in detail, with valuable suggestions. The summary of the replies will be grouped as follows:

1. Streamlining of records for
   (a) Ordering
   (b) Cataloging
   (c) Accessioning
   (d) Circulation
2. Reference equipment: "Legal Cumulative Book Index"
3. Quarters, including disposition of stored materials
4. Economy in library services by various types of coöperative undertakings

What I have to suggest is nothing new and may apply mostly to the small and medium sized schools. Those of us who have to struggle alone or with clerical and student assistants can save valuable time and money by equipping our offices with modern business equipment. The initial expense may seem high, but in the operation it will make up in savings of time, energy and money.

1. (a) To begin with the *order department*.[1] We should take the time and make out a card or order slip for each text we order with duplicates or triplicates, in addition to any requisition or order sheets required by state or university authorities. On that order card should be assembled all information available, including dealer from whom ordered and when, requisition date and number; also the number of the Library of Congress card and the date those cards were ordered, and the card should then be filed by author in a file of "orders outstanding." Upon receipt of the book date, price, bill number, accession number, should be added and the card or a copy should accompany the book through the various processes. When the book is ready for the shelf, the order card can then be filed as a shelf list card. That shelf list card has all the information pertaining to that book which may be needed for later additional orders, reference or inventory. One will never have to hunt in several places to get all information together.

This procedure has long been advocated for the small public and college library.

The questionnaire revealed that one each of the large and medium sized and 2 of the small sized libraries

1. Long—Order routine. 30 L. L. J. 351 (1937).

use the order card as a shelf list card.[2] Three of the medium and 2 of the small libraries do not maintain any separate order records. The others use either Remington Rand or their own printed cards, requisition slips, typed slips or L.C. proof sheets for their files of orders outstanding which they arrange alphabetically by author. Upon receipt of the book some transfer the order card to a file of orders received, some destroy the order card and some retain it for a period of a year. A few type out order slips with several copies; one slip is used for the order file arranged alphabetically by author, another for a dealer file, a third as a processing slip which, upon completion serves as statistical record for number of books cataloged.

It seems desirable to maintain a key record for future reference showing at a glance the various dates and numbers pertaining to order and requisition, receipt of book, bills and payment. Often inquiries come from the business office, or additional copies have to be ordered, or a faculty member or student ask about price and dealer from whom a book can be bought. Such a key card would also reveal what attempts have been made to obtain an out of print book.

It may be worthwhile to bring to your attention a suggestion that the order sheets should be arranged alphabetically by author. Such an arrangement is easier to check both for dealer and librarian.

The same principle, concentration of all information in one file, applies to the recording of periodicals and other continuations, such as court reports, state statutes, digests, etc. I do not have to elaborate on this point, for we have Mr. Coffey's and Mr. Behymer's articles on the visible file which have been published in the LAW LIBRARY JOURNAL.[3]

The questionnaire was quite revealing on this point. Only 15 out of 42 libraries have not yet adopted a visible file for recording their continuations, namely 10 of the small and 5 of the medium sized libraries; the other small and medium sized libraries use a Kardex file, while of the large libraries, 1 uses an Acme, 4 a Kardex and 3 a Cardineer continuation file. Only the minority of the visible file holders use it as a permanent record, namely 2 of the large libraries, 5 of the medium sized and 3 of the small libraries.

With forms available for permanent records and temporary slips which fold over them, there is no reason why the visible file should not be the one and only record for all continuations. Once it is set up properly by a trained person, its upkeep is no longer a problem, except occasionally when periodicals change their names. But it would be wise to use well designed forms and to have a library trained person install it. Some libraries are

2. For the grouping the following figures were used: under 50,000 volumes for small, from 50,000 to 100,000 volumes for medium sized, and over 100,000 for large libraries. The questionnaire was sent to 10 large, 15 medium sized and 25 small libraries. Answers were received from 21 small, 13 medium sized, and 8 large libraries.

3. Coffey, Hobart R.—Method of handling continuations at the University of Michigan. 25 L. L. J. 27 (1932).

Behymer, E. Hugh—The visible file in a small law library—its installation and use. 32 L. L. J. 111 (1939).

satisfied with the printed forms available, others have had their own forms printed, some would consider a suggestion made in the questionnaire, namely, to devise a form and have it printed for a group of those of us in need of an overall form.

I am firmly convinced from what I have read and seen that the establishment of one alphabetically arranged permanent continuation record available to all workers and users of continuations will be the most important improvement for any library, large or small. Especially in those libraries where such continuations consist of broken sets and are shelved in different parts of the library building, it saves no end of trouble and time to all persons working with continuations. If the cabinets are on movable stands they can be moved temporarily wherever they are needed at the time.

It has been suggested that one annual subscription order for all continuations be placed. This eliminates the watching of expiration dates during the year and, as we can readily see, it also simplifies the bookkeeping and facilitates the budgeting.

1. (b) *Cataloging* does not seem to present as much of a problem as I had assumed. In view of the scarcity of trained catalogers I suggested a coöperative cataloging project for the small and medium sized libraries. The suggestion has not found sufficient approval although some law libraries are actively engaged in providing such a service to libraries within their respective states. All recognize the importance of an up to date catalog as a key to the collection.

Only the large libraries use a subject classification, the others merely a form classification. In a small library, the subject classification will inevitably lead to difficulties because of overlapping of subjects and the necessity of using the same material for various courses. Student assistants will have difficulty in locating classified material without consulting the catalog and much valuable time will thus be lost. It seems advisable to maintain the alphabetical author arrangement in small libraries and refer the user to the catalog which provides the arrangement by subject.

1. (c) The form of *accessioning* is much debated. The majority still use the old accession book. The modern university libraries have switched over to crossing off accession numbers from sheets which can be dated. In our law libraries where we accession so many continuations, the use of the book is quite cumbersome and also expensive. The shelf list or continuation card show the accession record and the dated number sheets indicate at once how many books the library has.

1. (d) *Circulation* and attendance records are only kept by a minority of the libraries. As one librarian suggested, they could settle many arguments.

It may interest you to know that the trend in circulation work is to use book cards instead of call slips; that the need for a fine system seems to be mostly felt in the medium sized libraries. Personally, I do not see why the honor system should not work.

2. I like to bring up once more the need for a *reference* tool which corresponds to the Cumulative Book Index, but is limited to law and related

subjects. It would greatly facilitate order and reference work in the small and medium sized library which cannot afford a CBI for lack of money and space and which is too far away from the university library to use it conveniently. From the answers received it appears that the majority of all libraries, large and small, would welcome such a tool provided that its cost is not prohibitive and somebody could be found to edit it. Four of the large libraries, 8 of the medium and 16 of the small libraries are in favor of such a project.

If we cannot see it through, may I suggest that the next best thing may be a book review section in the Index to Legal Periodicals classified by subject.

3. *Quarters.* Efficiency in library service depends upon a functional physical outlay, including office space and equipment. Just as much as law school administrators are concerned with adequate lighting, seating, typing, discussion and special research space for faculty and students, it is a necessity that those servicing faculty and students should have adequate quarters in which to perform such services.

As far as the accommodation of the student body in the library is concerned, all libraries are affected equally by the jam. Half of the 42 libraries questioned answered that their library facilities are inadequate. Some can seat from 25 to 75 percent, and 12 can seat all students. All have worked out emergency expansion of one kind or another.

The collections get harder use than ever before but a third of the answers show that repair and mending cannot be provided. The importance of keeping the collection in shape has been stressed by Helen Newman some time ago. Her suggestions are still timely.[4]

As far as service by the library staff is concerned, perhaps we should consider cutting down supervision. Ten of us maintain unsupervised reading rooms and the majority state that there is no higher loss involved than in supervised rooms. It may also be worthwhile considering that we open up the stacks to second and third year students so as to teach them more expeditiously how to find their way around a law library. Otherwise some of them may never use more than the reports and digests on the open shelves and the assigned reading handed out to them over the reserve desk. May I also suggest that occasional use of the university library be encouraged and insisted upon, especially in smaller schools, where the budget does not permit the purchase of related materials.

As far as the building of the collection is concerned, perhaps some of the related material could be bought from funds acquired by disposing of some of the material we have been forced to store. Half of us have no longer room in our stacks and have had to store material. Maybe this is a good time to weed out and dispose of some of this material for good? Unused material costs money to keep on the shelf or in storage. I realize, of course, that some of us will want to have a collection of every law book ever published.

4. See Newman, Helen. A librarian's approach to problems in the smaller law school libraries. 32 L. L. J. 78. Miss Newman also discusses the handling of gifts, exchanges and binding in this article.

Where only limited research is carried on, the maintenance of rarely used materials may mean too great a burden.

The arrangement of the collection on the open shelves presents a real problem. Hardly one room would be big enough to hold all those books to which the law student should have free access. The trend is toward smaller reading rooms. The alcove arrangement used in quite a few law libraries requires about double the amount of space and has its definite limitations. Probably the solution to our space problem lies in a combination of reading room shelves and open stacks expandable over several levels, or a balcony arrangement in the reading room. Those of you with prospects for building a new library will find valuable assistance in the material assembled in a footnote to this paper.[5] I am mentioning as particularly helpful the book by Wheeler and Githens — The American Public Library, which is available from the American Library Association for the price of seven dollars.

4. My last topic deals with economy in library service by various types of coöperative undertakings.[6] In recent years, librarians all over the country have been concerned with the development of coöperative undertakings. There is the Union catalog project. As mentioned before, some of our law libraries are actively engaged in providing catalog service to some of the law libraries within their respective states; some are receiving assistance from their respective university libraries.

Another coöperative undertaking would be the purchasing of books, which has been discussed at the 1939 annual meeting of this Association,[7] which maintains an exchange service representing another type of coöperation. Coöperative book collecting could also be developed, although it may be difficult to reach agreement on what types of materials the partners should be limited. For instance, the University of North Carolina Library has agreed to collect a certain type of Southern material, whereas Duke University will collect another. My ques-

5. Alexander, Carter—Tomorrow's libraries for teachers colleges. Onconto, N. Y. A. A. of Teach. Coll. 1944.

A.L.A. — The library building. Chicago. 1947.

Bibliographical planning committee of Philadelphia. Philadelphia Libraries—A survey of facilities, needs and opportunities. 1942.

Evenden, Strayer, and Engelhardt—Standards for college buildings. N. Y. Columbia Univ. 1938.

Fussler, Herman H. ed.—Library buildings for library science. Papers presented before the Libr. Institute at the Univ. of Chicago Aug. 5-10, 1946. Chicago, 1947. A. L. A.

Gerould, J. T.—The college library building: its planning and equipment. Chicago. A. L. A. 1932.

Hanley, Edna Ruth—College and university library buildings. A. L. A. 1939.

McCrum, Blanche P.—An estimate of standards for a college library. Lexington. Laboratory Press. 1937. Contains checklist.

Randall and Goodrich. Principles of college library administration. 2d ed. Chicago. 1941. 250 pp.

Wheeler and Githens. The American public library building. N. Y. Scribner's 1941. Reprint: A. L. A. 1948.

Wilson, L. R., and Tauber, M. P.—The university library. Chicago. 1945. Ch. XIV. Buildings and equipment. Pp. 455-92.

6. College and university postwar planning committee. A. L. A. and Assoc. of College and Research Libraries. College and university libraries and librarianship. 1946. (Planning for libraries Series No. 6).

7. 32 L. L. J. 296.

tion whether we should save our law reviews by agreeing on some reprints of articles generally used in classes, was met by the skeptical answer that hardly two professors could agree on the selection of such articles. Most of us buy reprints, a few have mimeographed articles. It is arguable that the *"fair use"* doctrine permits such a procedure on a larger scale, when limited to class use. I will not have to elaborate the point that any one of these undertakings might effect substantial savings to all those who would participate therein. It is unnecessary to point out that the large law libraries are in a class by themselves. There, extensive research is carried on, material is assembled which is beyond reach of a small law school library and which, if it could be bought, would probably seldom be put to use. Maybe we should realize our limitations and build accordingly, although it may hurt our feelings as librarians and lawyers! May I suggest that if we could provide services more expeditiously and economically by availing ourselves of the technical facilities of a university or other law library or by entering into coöperative undertakings of the kind mentioned, we should do so. We thereby free ourselves for other important tasks.

Round Table Discussion

"Problems of the Law Librarian as a Teacher of Legal Bibliography"

Monday Evening, June 21, at 7:30
at the Penn. Top

The discussion panel consisted of Miss Breta Peterson, Mr. William R. Roalfe, Mr. Ervin Pollack, and Mr. Carroll C. Moreland. Each of the discussion group gave a short description of the methods and personnel involved in their schools in the teaching of the use of law books. The University of Pennsylvania is inaugurating a required course in Legal Writing for second year students. Ohio State University is moving their course in Legal Bibliography from the second year to the last part of the first year. The course in Legal Writing at the University of Chicago is a full first year course. Mr. Roalfe's course at Northwestern is given in the first term. None of the courses are identical, and much of the disparity is explained by the number of students, staff, and the place of the course in the curriculum as a whole. It was agreed by all that instruction in the use of legal materials was necessary for all students, and the dawning recognition by faculties of this fact was a very happy sign. No one was positive that the course given at his or her school was perfect. All felt that there might be improvements made in their programs, which is an encouraging sign so far as the librarians themselves are concerned.

The size of the audience was an indication that the problem is prominent in the thinking of the law librarians, and should indicate that as faculties decide to introduce some such course in the curriculum, there will be instant coöperation on the part of their librarians.

CARROLL C. MORELAND

Chairman

TREASURER'S REPORT
AMERICAN ASSOCIATION OF LAW LIBRARIES
GENERAL FUND
For Fiscal Year From June 1, 1947 to May 31, 1948

Cash Balance June 1, 1947			$ 6,939.47
ADD RECEIPTS			
Dues			
Institutional	$1,344.90		
Individual	516.82		
Associate	200.00		
		$2,061.72	
JOURNAL Advertising		1,501.00	
JOURNAL Subscriptions		736.31	
Sale of JOURNAL Back Numbers		337.35	
Sale of Directory		24.00	
Miscellaneous Receipts		15.00	
TOTAL RECEIPTS			4,675.38
TOTAL TO BE ACCOUNTED FOR			$11,614.85
LESS DISBURSEMENTS			
Cost to Publish JOURNAL (Four Issues)		$2,385.65	
Salaries and Wages:			
Editor and Manager	$641.99		
Executive Secretary-Treas.	441.64		
Assistant to Executive Secretary-Treasurer	267.02		
		$1,350.65	
Office Supplies, Printing and Postage		271.33	
Binding LAW LIBRARY JOURNAL		54.00	
Recording Proceedings of 1947 Annual Meeting		152.00	
Travel Expenses		133.56	
Convention Program Printing and Stationery		74.07	
Refunds–Chapter Membership Dues		152.00	
Office Equipment and Repairs		35.00	
Telephone, Telegraph and Expressage		37.22	
Insurance Bond		17.19	
Miscellaneous Expenses		12.00	
TOTAL DISBURSEMENTS			$ 4,674.67
CASH BALANCE–MAY 31, 1948			$ 6,940.18

FOOTNOTE:

1948 Dues in the amount of $772.41 billed and collected in advance in May, 1947.

ADDENDA TO ACCOMPANY TREASURER'S REPORT

JUNE 1, 1947 - MAY 31, 1948

The members of all classes joining the Association during the year June 1, 1947 to May 31, 1948, total 37. Of these 5 are reinstated members and 32 are new members. Of the classes of membership added, there have been: 1 Associate; 22 Regular; and 14 Institutional staff members.

The total membership as of June 1st is 448, classified as follows:

Life members	15
Honorary members	1
Associate members	44
Regular members	151
Institutional staff members	237

Subscribers to the LAW LIBRARY JOURNAL total: 199 of which 32 are foreign.

TREASURER'S REPORT
AMERICAN ASSOCIATION OF LAW LIBRARIES
INDEX FUND

For Fiscal Year from June 1, 1947 to May 31, 1948.

Cash Balance June 1, 1947		$ 9,624.09
Receipts		2,182.75
TOTAL		$11,806.84
Disbursements:		
Salaries		
Executive Editor of Index	$2,420.00	
Executive Secretary-Treasurer	250.00	
TOTAL DISBURSEMENTS		$ 2,670.00
Cash in Bank as of June 1, 1948		$ 9,136.84

Proposed Amendments to the Constitution of the American Association of Law Libraries

Proposed by the Committee on Revision of the Constitution

(New matter is italicized; deleted matter is in parentheses)

Official Count

SECTION 11 SHALL BE AMENDED TO READ AS FOLLOWS:

Section 11. Not later *October 1* (August 1) of each year, the President shall appoint a nominating committee of five members, no one of whom shall be a member of the executive committee, to nominate candidates for the elective positions of president, president-elect, executive secretary, and membership on the executive committee. Two candidates for each membership on the executive committee shall be presented.

Names of candidates, together with their written acceptances, shall be presented by the nominating committee to the president in sufficient time to enable the president *to inform the members of the nominations prior to March 1, either by publication in the* LAW LIBRARY JOURNAL, *or by mail.* (to have the nominations printed in the November issue of the LAW LIBRARY JOURNAL, or to inform the members my mail prior to January 1.)

Other nominations: Further nominations, except for the office of president may be made upon written petition of two voting members in good standing. Such petitions, accompanied by written acceptances of the nominees, must be filed with the executive secretary of the American Asociation of Law Libraries not later than *April 1* (March 1).

The executive secretary shall prepare an official ballot, including nominations by petition, if any. The professional position of each nominee shall appear on this ballot.

(81) For the Amendment
(0) Against the Amendment

THE SECOND SENTENCE OF SECTION 17 SHALL BE AMENDED TO READ AS FOLLOWS:

Section 17. Notice of any amendment shall be filed with the secretary at least sixty days before a regular meeting of the Association, and notice *and ballot* shall be sent by the secretary to the members of the Association at least thirty days prior to said meeting.

(76) For the Amendment
(3) Against the Amendment

Amendments to the Constitution and By-Laws

Proposed by the Committee on The Advisability and Practicability of Establishing The Office of Executive Secretary-Treasurer on a Full Time Basis

(New matter is italicized; deleted matter is in parentheses)

Official Count

Section 3. There shall be *six* (five) classes of membership—regular, associte, life, honorary, (and) institutional and sutaining.

(78) For the Amendment
(2) Against the Amendment

SECTION 5 SHALL BE AMENDED TO READ AS FOLLOWS:

Section 5. Persons not connected with law libraries may be elected to associate *or sustaining* membership at the discretion of the executive committee.

(77) For the Amendment
(3) Against the Amendment

THE FIRST SENTENCE OF SECTION 8 SHALL BE AMENDED TO READ AS FOLLOWS:

Section 8. The officers shall consist of a president, president-elect, (and an) Executive secretary *and a treasurer* (who shall also act as treasurer) all of whom shall be elected annually by the Association.

(80) For the Amendment
(0) Against the Amendment

THE LAST SENTENCE OF SECTION 8 SHALL BE AMENDED TO READ AS FOLLOWS:

Section 8. The president and president-elect shall serve without compensation and the executive secretary *and treasurer* shall receive such compensation as the Association shall provide.

(79) For the Amendment
(1) Against the Amendment

THE FIRST SENTENCE OF SECTION 9 SHALL BE AMENDED TO READ AS FOLLOWS:

Section 9. There shall be an executive committee of *eight* (seven) consisting of the officers mentioned in Section 8, the last retiring president, and three members elected by the Association.

(80) For the Amendment
(0) Against the Amendment

PROPOSED AMENDMENT TO THE BY-LAWS
SECTION 1 OF THE BY-LAWS SHALL BE AMENDED BY ADDING SUBSECTION (d) AT THE END THEREOF AS FOLLOWS:

Section 1. (d) *The annual dues of sustaining members shall be determined by the executive committee.*

(74) For the Amendment
(6) Against the Amendment

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University of London
Institute of Advanced Legal Studies

25 Russell Square
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25 June, 1948

Dear Editor,

I have pleasure in sending a copy of the first prospectus of this Institute which was opened this month by Viscount Jowitt, the Lord Chancellor. We should be interested if you cared to mention our existence in your journal. We are keen to establish contacts with academic and other lawyers interested in legal research and we should be glad to see them when in this country, if they would call at the Institute.

Yours faithfully,
K. Howard Drake
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